

# THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

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*Washington, Thursday, June 8, 1944*

## Regulations

### TITLE 7—AGRICULTURE

#### Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 535]

#### PART 301—DOMESTIC QUARANTINE NOTICES

##### JAPANESE BEETLE QUARANTINE; EFFECTIVE — DATE OF CERTAIN RESTRICTIONS

Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by § 301.48-4 (b) (Notice of Quarantine No. 48, on account of the Japanese beetle) he having determined when the period of the heavy flight of the adult beetle will begin in the respective localities, *It is hereby ordered, That:*

§ 301.48-4a. *Administrative instructions designating dates when restrictions on fruit, vegetable, and cut-flower shipments shall become effective under the provisions of § 301.48-4 (b) of the Japanese beetle quarantine.* The restrictions of §§ 301.48-4 (b) and 301.48-5 relating to the heavily infested areas (§ 301.48-3) and applying to:

(a) Unprocessed, fresh, cut flowers when moved in bulk direct from the field or greenhouse where grown, or from a distributor; and

(b) Fresh fruits and vegetables of all kinds when shipped by refrigerator car or motortruck only.

Shall begin for the present season on the following dates:

(1) On June 12 in the following area;

*Virginia:* Norfolk County; Magisterial district of Tanners Creek; Princess Anne County; Magisterial district of Kempsville; Entire counties of Accomac and Northampton.

*Maryland:* Entire counties of Worcester, Somerset, Wicomico, and Dorchester.

*Delaware:* Sussex County.

(2) On June 26 in the remainder of the heavily infested area.

These restrictions shall remain in effect during the current season until due

notice of their discontinuance shall have been given.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 1940 ed. 161; 7 CFR 301.48-4)

Done at Washington, D. C., this 2d day of June 1944.

P. N. ARTHUR,  
*Chief, Bureau of Entomology and Plant Quarantine.*

[F. R. Doc. 44-8236; Filed, June 7, 1944; 11:24 a. m.]

#### Chapter IX—War Food Administration (Marketing Agreements and Orders)

#### PART 962—FRESH PEACHES GROWN IN THE STATE OF GEORGIA

##### SUSPENSION OF HANDLING ORDER

Pursuant to the provisions of Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 1940 ed. 601 et seq.) hereinafter referred to as the "act," it is hereby found and determined that the provisions of the order regulating the handling of fresh peaches grown in the State of Georgia, effective pursuant to said act, obstruct or do not tend to effectuate the declared policy of the said act.

*It is, therefore, ordered,* That the provisions of said order regulating the handling of fresh peaches grown in the State of Georgia be, and the same hereby are, suspended, effective at 12:01 a. m., e. w. t., June 9, 1944.

*It is further ordered,* That the suspension of said order shall not (1) affect or waive any right, obligation, or liability which has arisen or which, prior to the time that the suspension becomes effective, may arise under the provisions of the said order; (2) release or extinguish any violation of the said order which has occurred, or which, prior to the time that the suspension becomes effective, may occur; or (3) affect or impair any right or remedy of the United States, the War

(Continued on next page)

## CONTENTS

### REGULATIONS AND NOTICES

CUSTOMS BUREAU:	Page
Art objects, release from customs custody .....	6239
ENTOMOLOGY AND PLANT QUARANTINE BUREAU:	
Japanese beetle quarantine, effective date of restrictions on shipments .....	6201
FEDERAL POWER COMMISSION:	
Hearings:	
Consolidated Gas Utilities Corp. ....	6242
Interstate Pipe Line Co. ....	6241
Kansas Power and Light Co. ....	6241
Missouri Western Gas Co. ....	6241
FEDERAL TRADE COMMISSION:	
Cease and desist order; Scientific Mfg. Co., Inc., et al. ....	6206
Hearings, etc.:	
Dorene Publishing Co., Inc. ....	6242
Stetson, John B., Co. ....	6242
GENERAL LAND OFFICE:	
Stock driveway withdrawals reduced:	
Arizona .....	6241
New Mexico .....	6241
INTERSTATE COMMERCE COMMISSION:	
Processed cheese, etc., loading or movement of refrigerator cars .....	6245
Reconsignment permits:	
Potatoes:	
Kansas City, Mo. ....	6244
Tomatoes:	
Chicago, Ill. (2 documents) ..	6244
Kansas City, Mo.-Kans. ....	6244
Watermelons, Raleigh, N. C. ....	6244
Reicing permits:	
Potatoes:	
Chicago, Ill. ....	6246
Florida .....	6245
Georgia .....	6245
Kansas City, Mo.-Kans. (2 documents) .....	6245, 6246
Lerdo, Calif. ....	6246
Montgomery, Ala. ....	6246
Norfolk, Va. ....	6246
South Carolina .....	6245
NATIONAL PARK SERVICE:	
National Park Trust Fund Board, rules of procedure ..	6240

(Continued on next page)



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- Book 1: Titles 1-3 (Presidential documents) with tables and index.
- Book 2: Titles 4-9, with index.
- Book 3: Titles 10-17, with index.
- Book 4: Titles 18-25, with index.

#### CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION:	Page
Bituminous coal (MPR 189, Am. 22) .....	6231
Carriers of meat and meat products (Rev. SR 14, Am. 138) ..	6239
Containers, second hand paper-board shipping (MPR 529, Am. 1) .....	6232
Fats and oils (MPR 53, Am. 21) ..	6232
Foods, processed (Rev. RO 13, Am. 37, 38) (2 documents) ..	6234, 6235
Gloves, staple work (RMPR 506, Am. 1) .....	6239
Hawaii:	
General commodities (GMPR for Hawaii, Am. 4) .....	6238
Mileage rationing (RO 1E, Am. 9) .....	6231
Lumber, Southern pine (2d Rev. MPR 19, Am. 3) .....	6232
Machines and parts and machinery services (MPR 136, Am. 118) .....	6239

#### CONTENTS—Continued

OFFICE OF PRICE ADMINISTRATION—Continued.	Page
Meat, fats, fish and cheese (RO 16, Am. 142, 143) (2 documents) .....	6236, 6238
Shoes (RO 17, Am. 62) .....	6233
Silver, newly mined domestic (MPR 188, Am. 3 to Order 226) .....	6246
Sugar (Rev. RO 3, Am. 22) .....	6233
PROCUREMENT DIVISION:	
Supplies, exclusive procurement of typewriters by Procurement Division .....	6240
SECURITIES AND EXCHANGE COMMISSION:	
Hearings, etc..	
Commonwealth & Southern Corp. (Del.) .....	6247
Consolidated Electric and Gas Co., and Porto Rico Gas & Coke Co. ....	6247
Detroit and Cleveland Navigation Co. ....	6247
Northern Indiana Public Service Co., et al. ....	6248
SELECTIVE SERVICE SYSTEM:	
Conscientious objectors; amendments of regulations governing work of national importance under civilian direction .....	6207
WAR FOOD ADMINISTRATION:	
Peaches, Georgia:	
Handling order suspended ..	6201
Shipping restrictions (WFO 102) .....	6205
Procedural regulations, violations of priority or allocation orders (WFO 78, Am. 1) .....	6202
WAR PRODUCTION BOARD:	
Chemicals and allied products (M-300; Appendices A, B, and C; Dir. 1) (3 documents) .....	6222, 6226
Cooking, etc., equipment, commercial (L-182; Rev. of Int. 1) (2 documents) .....	6229, 6231
Copper (M-9-c, Am. 1) .....	6208
Dishwashers, commercial (L-248; Rev. of Int. 1) (2 documents) .....	6228, 6229
Farm machinery:	
Ex-quota production in small plants (L-257, Dir. 3) .....	6228
Manufacture for:	
Continental U. S. (L-257) ..	6211
Export (L-257-a) .....	6218
Gages and precision measuring hand tools (E-5-a) .....	6221
Rubber (R-1, Am. 4) .....	6231
Suspension orders, etc..	
Gray and Co. ....	6248
Sellers, George T., Sons. ....	6227
Spiegel Bros. Corp. ....	6248
Tin (M-43) .....	6208
Zinc sulphide pigments (M-128, Rev.) .....	6221
WAR SHIPPING ADMINISTRATION:	
Contracts with vessel owners; uniform addendum to time charters covering adjustment of certain disputes .....	6240

Food Administrator, or any other person with respect to any such violation which has occurred, or which, prior to the time that such suspension becomes effective, may occur.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 52 Stat. 215; 53 Stat. 782; 7 U.S.C. 1940 ed. 601 et. seq.)

Issued at Washington, D. C., this 7th day of June 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator

[F. R. Doc. 44-8247; Filed, June 7, 1944; 11:47 a. m.]

#### Chapter XI—War Food Administration (Distribution Orders)

[WFO 78, Amdt. 1]

##### PART 1599—PROCEDURAL REGULATIONS

##### ISSUANCE OF ORDERS RESULTING FROM VIOLATIONS OF PRIORITY OR ALLOCATION ORDERS

War Food Order No. 78, 9 F.R. 4321, 4319 (formerly known as Procedural Regulation 1, issued December 4, 1943, 8 F.R. 16497) is hereby amended to read as follows:

The following regulations are prescribed with respect to the issuance of orders necessitated by violations of priority or allocation orders or regulations administered by the Office of Distribution:

§ 1599.1 *Definitions.* When used in these regulations, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(a) The term "Director" means the Director of Distribution, War Food Administration.

(b) The term "compliance officer" means the official in charge of the field office of the Compliance Branch, Office of Distribution, War Food Administration, serving the area in which a respondent resides or does business.

(c) The term "respondent" means any person against whom a proceeding is instituted in accordance with these regulations.

(d) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

§ 1599.2 *Meaning of words.* Words in these regulations in the singular form shall be deemed to import the plural, and, vice versa, as the case may demand.

§ 1599.3 *Institution of proceeding.* A proceeding under these regulations shall be instituted by the service of a notice upon the respondent by the compliance officer. The notice shall include a statement of the factual basis for, and the purpose of the proceeding.

§ 1599.4 *Filing of answer and request for hearing.* The respondent may, within five days after service of the notice upon him, file a written answer with the

compliance officer setting forth his position with respect to the matters contained in the notice and, if he so desires, the respondent may, as a part of his answer, request an opportunity to be heard. The answer need not be in any particular form. The failure of respondent to file an answer shall constitute a waiver of any objection to the taking of such action as is deemed warranted.

§ 1599.5 *When a request for a hearing is not filed.* When the respondent fails to file an answer, or files an answer but does not request an opportunity to be heard, the compliance officer shall, on the basis of the information before him, including that contained in the answer, if such be filed, proceed as follows:

(a) When, for any reason, the compliance officer determines that the issues should be resolved in favor of respondent, he shall issue and cause to be served upon respondent, an order dismissing the proceeding;

(b) When, in the opinion of the compliance officer, the facts disclose that the proceeding should be terminated by the issuance of a warning letter, he may dispose of the proceeding by serving a warning letter upon the respondent; or

(c) When the compliance officer determines that an order (including, but not limited to, an order suspending, revoking, or withdrawing, in any manner, any quota, license, or authorization) should be issued against the respondent, the compliance officer shall cause an order to be prepared for the signature of the Director and transmit the proposed order, together with the docket, containing all of the papers in the proceeding, to the Director.

§ 1599.6 *When a request for hearing is filed.* When, in connection with his answer, a respondent files with the compliance officer a request for a hearing, a notice fixing the time and place of the hearing shall be served on the respondent as hereinafter prescribed in these regulations: *Provided*, That, if the compliance officer determines that the information contained in the answer should result in resolving the issues in favor of the respondent, or if, for any other appropriate reason, the compliance officer determines to settle the issues in favor of the respondent, the compliance officer may, without a hearing, issue and serve upon the respondent such order, including a warning letter, as the compliance officer deems advisable in, finally disposing of the matter.

§ 1599.7 *Designation of presiding officer.* The hearing shall be conducted by a presiding officer designated, by the Solicitor or his representative, from among those persons authorized to hold hearings. No person who has any pecuniary interest in the outcome of the proceeding; who has participated in any investigation preceding the institution of the proceedings; or who is related to any of the parties to the proceeding shall be designated to serve as presiding officer. In case of the absence, illness, resignation, or death of the presiding officer who has been assigned to a proceeding or, in

case the Solicitor or his representative determines that, for other good cause, the presiding officer should not act, the powers and duties to be performed by him in connection with the proceeding may be assigned to any other person authorized to hold hearings.

§ 1599.8 *Powers of presiding officer.* In any proceeding assigned to him, the presiding officer shall have power to:

(a) Rule upon motions and requests (all motions shall be in writing except that those made during the hearing may be stated orally)

(b) Adjourn the hearing from time to time and change the place of hearing (this power includes the right, for good cause shown, to continue the hearing so as to give the respondent a chance to appear where he has failed to appear at the designated time and place of hearing)

(c) Administer oaths or affirmations and take affidavits;

(d) Admit or exclude evidence;

(e) Issue subpoenas requiring the attendance and testimony of witnesses and the production of books, papers, and other documentary evidence;

(f) Authorize, take, or order the taking of depositions;

(g) Hear oral arguments on facts or law;

(h) Consolidate hearings where he deems such consolidation appropriate;

(i) Issue notices of hearings; and

(j) Do all acts and take all measures necessary for the maintenance of order at the hearing and the efficient conduct of the proceeding.

§ 1599.9 *Notice of hearing.* The presiding officer, upon being designated, shall immediately prepare and have served upon the respondent a notice of hearing, requiring the respondent to appear before him at a designated time and place. The notice shall state that if the respondent does not appear as directed, his nonappearance shall be deemed a waiver of any objection to the taking of such action as is deemed warranted. The notice of hearing, fixing a date for a hearing, shall be issued within a reasonable time after the filing with the compliance officer of a request for hearing by the respondent.

§ 1599.10 *Prehearing conferences.* In any proceeding in which it appears that such procedure will expedite the proceeding, the presiding officer may, at any time, request the parties or their counsel to confer with him to consider: (a) the simplification of the issues, (b) the possibility of obtaining stipulations of fact and agreements with respect to documents which may avoid unnecessary proof and examination of witnesses; and (c) such other matters as may expedite and aid in the disposition of the proceeding. No transcript of such conference shall be made but there shall be prepared and filed for the record a copy of any stipulations or agreements made as a result of the conference.

§ 1599.11 *Appearances.* Parties may appear at a hearing in person or by counsel.

§ 1599.12 *Contemptuous conduct.* Contemptuous conduct by any person at a hearing shall be ground for exclusion of the person from the hearing.

§ 1599.13 *Transcript or summary of evidence.* No written transcript of the hearing is required unless requested on behalf of the War Food Administration or the respondent. If the respondent requests a transcript, he must provide for the making thereof and for the payment of expenses therefor. Where a transcript is made, two legible copies thereof shall be furnished to the presiding officer without charge within such time after completion of the taking of testimony as he shall direct. No transcript shall be made or considered part of the record until approved and certified by the presiding officer. In the event that no stenographic transcript of the testimony is taken, the presiding officer shall provide for the taking of such notes at the time of the hearing as will enable him to make a written summary of the relevant evidence received at the hearing.

§ 1599.14 *Fees and mileage.* Witnesses who are subpoenaed and who appear in the proceeding, including witnesses whose depositions are taken, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and persons before whom depositions are taken shall be entitled to the same fees as are paid for like services in the courts of the United States, to be paid by the party at whose request the deposition is taken. Witness fees and mileage shall be paid by the party at whose instance the witnesses appear, and claims therefor, as to witnesses subpoenaed on behalf of the War Food Administration, shall be proved before the presiding officer and, as to witnesses subpoenaed on behalf of any other party, shall be presented to such party.

§ 1599.15 *Depositions.* Upon the application of a party to the proceeding, the presiding officer may, at any time, order the taking of testimony by deposition. Applications for such an order shall be in writing. The presiding officer's order for the taking of a deposition shall be served upon the parties and shall state: (a) The time and place of the examination; (b) the name of the officer before whom the examination is to be made; and (c) the name of the deponent. The deposition shall be taken before the presiding officer, or before an officer authorized by the law of the United States or by the law of the place of the examination to administer oaths, or before a person authorized by the War Food Administration to administer oaths. The deponent shall be examined under oath or affirmation and shall be subject to cross-examination. The testimony of the deponent shall be recorded by the officer or by some person under his direction and in his presence. The officer shall certify on the deposition that the deponent was duly sworn by him and that the deposition is a true record of the deponent's testimony. He shall then securely seal the deposition, together with two copies thereof, in an envelope, and mail the same to the presiding officer.

cer, where the deposition is not taken before the presiding officer. A deposition ordered and taken in accordance with the provisions of this section may be placed in evidence by any of the parties to the proceeding if the presiding officer finds that the use thereof will expedite the proceeding.

**§ 1599.16 Defaults and admissions.**

(a) The failure of a respondent to appear at a hearing shall be deemed a waiver by him of the right to an opportunity to be heard and of any objection by him to the taking of such action as is deemed warranted by the facts. On such failure of the respondent to appear, the presiding officer shall prepare a certification as to the non-appearance of the respondent for the record and forward it, together with the docket, to the compliance officer. The compliance officer may take such action as is prescribed by § 1599.5 of these regulations.

(b) Upon the admission at the hearing by the respondent of the facts alleged in the notice served upon him, the presiding officer shall prepare a formal statement of such admission for the record. The presiding officer may, in his discretion, permit the introduction of evidence with respect to mitigating circumstances and conditions which will tend to assist in the determination of the nature of the final action to be taken. The presiding officer shall then forward the docket containing the record of the proceeding to the compliance officer. The compliance officer may thereupon take such action as is prescribed by § 1599.25 of these regulations.

**§ 1599.17 Evidence.** The testimony of witnesses at a hearing shall be upon oath or affirmation and subject to cross-examination. Any witness may, at the discretion of the presiding officer, be examined separately and apart from all other witnesses except those who are parties to the proceeding. The rules of evidence prevailing in courts of law and equity shall not be controlling. The test of admissibility shall be the reliability, relevancy, and probative force of the evidence offered. Remote hearsay and unreliable evidence, which would not be convincing to the ordinary man, should not be received. Likewise, purely cumulative evidence should be avoided whenever possible. The grounds of any objection to the admission or rejection of any evidence may be briefly stated. The transcript, if any, shall not include argument except as permitted by the presiding officer. The ruling of the presiding officer shall be a part of the transcript, if any. Evidence may be offered in written form where the parties agree. The presiding officer shall mark all of the exhibits received in evidence. Whenever practicable, an exhibit should be submitted with three copies. The refusal of a witness at a hearing to answer any question which has been ruled to be proper shall, in the discretion of the presiding officer, be ground for striking out all testimony previously given by such witness as to all matters. If a party to a proceeding or a witness refuses to testify on the ground of his privilege against self-in-

crimination, he shall not be compelled to testify unless directed by the presiding officer, with the consent of the representative of the War Food Administration, to testify pursuant to Public Law 507, 77th Congress, approved March 27, 1942 (Second War Powers Act). Affidavits may be received at the discretion of the presiding officer if the evidence is otherwise admissible.

**§ 1599.18 Order of proceeding.** The presiding officer shall open the hearing with such statement or the purpose of the hearing and the procedure that will be followed as he may deem appropriate. A representative of the War Food Administration, if present, shall then proceed to introduce either through an investigator or otherwise such data and information as is deemed appropriate in explanation and clarification of the position of the War Food Administration. Thereafter the respondent shall present such data and information in support of his position as he or his counsel deems appropriate and the presiding officer deems relevant. This presentation by the person affected may be in narrative form or in response to questions and may be presented through the respondent or other persons familiar with the relevant facts. At the close of the hearing the presiding officer may allow a short period for the presentation of oral argument or for a summary of the facts disclosed at the hearing and if he deems it advisable may allow briefs to be filed within a period prescribed by him not to exceed five days. Where practicable, three copies of briefs shall be filed.

**§ 1599.19 Manner of service.** Service of all documents required by these regulations to be served shall be made by personal service or registered mail.

**§ 1599.20 Personal service.** Personal service shall be made upon an individual other than an infant by delivering a copy of the document to him personally or by leaving a copy thereof at his dwelling house or usual place of abode with some person of suitable age and discretion then residing therein, or by leaving a copy thereof with his agent or a responsible individual at his usual place of business, or by delivering a copy of such papers to an agent authorized by appointment or by law to receive service of process. Personal service shall be made upon an infant by serving such papers in the manner prescribed by the law of the State in which service is made for the service of summons or other like process upon any such person in an action brought in the courts of general jurisdiction of that State. Personal service shall be made upon a domestic or foreign corporation or upon a partnership or other unincorporated association which is subject to suit under a common name by delivering a copy of such papers to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to such person.

**§ 1599.21 Registered mail.** Documents shall be served by registered mail by causing to be registered and mailed a copy addressed to the individual, partnership, corporation, organization, or association, who is the respondent, at his or its last known residence, principal office, or place of business.

**§ 1599.22 Proof of service.** When service has been effected, the person making such service shall prepare the proof of service as follows: (a) In case of personal service, he shall execute a certificate showing the date, time, and place where service was effected, and the person upon whom service was effected, and the nature of the document served; and (b) in the case of service by registered mail, he shall execute a certificate showing the date, time, and place at which the document was mailed, and to whom addressed, and the nature of the document mailed, and shall attach thereto the registered mail receipt. The certificate in both cases shall disclose that the person was not a party to the proceeding and was over 18 years of age.

**§ 1599.23 When answer or request for hearing shall be deemed filed.** An answer or a request for hearing shall be deemed to have been filed on the date of mailing, as evidenced by the post mark at the place of mailing, or, if otherwise delivered to the office of the compliance officer, on the date of such delivery as evidenced by the time it is marked "filed" in such office.

**§ 1599.24 Record.** (a) As soon as practicable after the close of the hearing, the presiding officer shall certify to the compliance officer an original and, where practicable, one copy of the record of the proceeding which shall contain the following:

(1) The procedural documents, including the initiating notice, the notice of hearing, and the certifications of service;

(2) The evidence received at the hearing, either stenographically transcribed or summarized by the presiding officer, including exhibits, stipulations, or other documents which have been received by the presiding officer; and

(3) Briefs, if any, received by the presiding officer.

(b) Where a summary statement of the evidence is made by the presiding officer, he shall, at the time of transmitting the record to the compliance officer, also submit copies of the summary statement of the evidence to the parties to the proceeding or to their representatives.

**§ 1599.25 Action by compliance officer upon receipt of docket from presiding officer.** Upon receipt of the docket containing the record from the presiding officer, the compliance officer shall, on the basis of the information before him, proceed as follows:

(a) When the compliance officer determines that the proceeding should be dismissed, he may issue and serve upon the respondent such order, including a warning letter, as the compliance officer deems advisable in finally disposing of the matter.

(b) When the compliance officer does not decide to terminate the proceeding as described in § 1599.25 (a) of these regulations, he shall transmit the docket, together with his recommended order, to the Director for final action.

§ 1599.26 *Issuance and service of orders by the Director.* The Director, upon receipt of a docket containing all of the papers in the proceeding, may issue an order as recommended by the compliance officer or, where the Director does not follow the recommendation of the compliance officer, he may prepare and issue such other order as may be required to effectuate the disposition of the proceeding in the manner determined by him. The final order of the Director shall be served upon the respondent.

§ 1599.27 *Reconsideration.* The respondent may, within five days after a final order of the Director is served on him, apply in writing to the Director for reconsideration. The filing of such an application shall not stay the operation of the order unless it is otherwise directed. Facts or arguments bearing on the merits of the policy embodied in the priority or allocation order or regulation violated will not be considered.

§ 1599.28 *Modification or revocation of orders.* The Director may, upon a determination that an order issued pursuant to these regulations tends to interfere with the maintenance of an adequate supply and efficient distribution of food to meet war and essential civilian needs, modify or revoke such order. This action may be taken upon his own initiative or upon application made by persons affected by the operation of the order.

§ 1599.29 *Delegation of authority to Deputy Director of Distribution.* Any Deputy Director of Distribution, designated from time to time by the Director, may exercise the functions, duties, powers, authority, and discretion of the Director as set forth in these regulations.

*Effective date.* This order shall become effective at 12:01 a. m., e. v. t., on June 5, 1944. Unless the Director shall otherwise order, all proceedings pending on the effective date hereof shall be concluded in accordance with this amendment.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783 and Delegation of Authority, 8 F.R. 13696)

Issued this 3d day of June 1944.

LEE MARSHALL,  
Director of Distribution.

[F. R. Doc. 44-8113; Filed, June 5, 1944;  
1:57 p. m.]

[WFO 102]

PART 1405—FRUITS AND VEGETABLES  
GEORGIA PEACHES

The fulfillment of requirements for the defense of the United States will result in a shortage in the supply of peaches

produced in the State of Georgia, for defense and private account, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1405.43 *Restrictions relative to the shipment of peaches—(a) Definitions.* (1) "Peaches" means any and all peaches in fresh form, grown and located in the State of Georgia.

(2) "Person" means any individual, partnership, association, corporation, business trust, or any organized group of persons whether incorporated or not.

(3) "Ship" means to ship peaches by private carrier or common carrier from a point within Georgia to a point outside of Georgia.

(4) "U. S. No. 2 grade" means U. S. No. 2 grade as defined in "U. S. Standards For Peaches (1933)" issued by the U. S. Department of Agriculture on April 22, 1933, and reissued by the War Food Administration on June 22, 1943, as in effect at the time peaches subject hereto are shipped.

(5) "Director" means the Director of Distribution, War Food Administration.

(b) *Restrictions.* (1) No person shall ship peaches which fail to meet the requirements of U. S. No. 2 grade with respect to decay, maturity, worms, and worm holes, but in any bulk lot of peaches or in any lot of packages of peaches not more than an average of 10%, by count, of the peaches may fail to meet such requirements, but no more than an average of  $\frac{1}{10}$  of this tolerance (1%) shall be allowed for decay. *Provided*, That not more than 15%, by count, of the peaches in an individual package in any lot shipped may fail to meet the requirements with respect to maturity, decay, worms, and worm holes, but of this tolerance, not more than  $\frac{2}{15}$  (2%) shall be allowed for decay. The peaches may fail to meet the requirements of the U. S. No. 2 grade other than for maturity, decay, worms, and worm holes.

(2) No person shall ship peaches unless such peaches have been inspected by an authorized representative of the Federal-State inspection service, and each shipper of peaches shall submit promptly, to the Director, Office of Distribution, 305 Grand Bldg., Macon, Georgia, the Federal-State shipping point inspection certificate with respect to each shipment of peaches by such person. Such certificate shall set forth whether the peaches, contained in such shipment, comply with or meet the minimum requirements set forth in (b) (1) hereof. Peaches once inspected pursuant hereto may be shipped without further inspection if such peaches meet the requirements of (b) (1) hereof.

(3) The restrictions hereof shall be observed by each person affected by this order without regard to the rights of creditors, existing contracts, or payments made.

(4) The Director may release from the provisions of this order any lot of peaches for use in the production for sale of any product containing 7 percent, or more, of alcohol, by volume, if such use of the lot of peaches has been authorized pursuant to WFO 69, as amended, 9 F.R.

4321, 4319 (formerly designated as Food Distribution Order No. 69, as amended, 8 F.R. 10477, 9 F.R. 4321, 4319, 4523)

(c) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of peaches of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, to the enforcement or administration of the provisions of this order.

(2) Every person who ships peaches shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in peaches.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, which action shall be final.

(f) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using peaches, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who willfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(h) *Communications.* All reports required to be filed hereunder and all communications, other than those required to be submitted pursuant to (b) (2) hereof, concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Director of Distribution, War Food Administration, Washington 25, D. C., Ref. WFO 102.

(i) *Effective date.* This order shall become effective at 12:01 a. m., e. v. t., June 8, 1944.

*NOTE:* All reporting and record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.



(E.O. 9280, 7 F.R. 10179; E.O. 9322; 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 7th day of June 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator

[F. R. Doc. 44-8246; Filed, June 7, 1944;  
11:47 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 4482]

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

##### SCIENTIFIC MANUFACTURING COMPANY, ET AL.

§ 3.6 (t) *Advertising falsely or misleadingly, qualities or properties of product or service.* In connection with offer, etc., of respondent's medicinal preparations designated "Pheno-Isolin" "Pheno-Isolin Ointment" and "Dialin" or any other similar preparation, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's preparations which advertisements represent, directly or through inference, (1) that respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment is a powerful germicide or antiseptic or that its use will prevent infection or destroy bacteria; (2) that the germicidal and antiseptic properties of respondent's preparation Pheno-Isolin or Pheno-Isolin Ointment are sufficient to be of value in surgery or as surgical dressings or that said preparations have any therapeutic value in the treatment of peritonitis, gangrene, or ulcerated cancer; or that respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment has any therapeutic value in the treatment of (3) ankylosis, or stiffening of the joints; (4) coughs, colds, sore throat, sinus conditions, influenza, or other respiratory diseases; (5) diphtheria or septic sore throat; (6) infections or infectious conditions, such as ulcers, sores, boils, carbuncles, or abscesses; (7) athlete's foot or that its use will relieve the burning and itching inflammation caused by such conditions or help heal the irritated tissues; or which advertisements represent, as aforesaid; (8) that respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment constitute a competent or effective treatment of skin infections, eczema, or burns; or that (9) respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment has any therapeutic value in the treatment of hemorrhoids or piles; or that (10) respondent's preparation Dialin constitutes a competent or effective treatment for diabetes or has any therapeutic value in the treatment of diabetes, and that the use thereof will assist the pancreas to produce insulin, correct abnormal conditions of the body caused by diabetes, or eliminate the necessity for the use of insulin where the condition of diabetes exists; prohib-

ited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Scientific Manufacturing Company, Inc., et al., Docket 4482, May 11, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of May, A. D. 1944.

*In the Matter of Scientific Manufacturing Company, Inc., a Corporation, and Howard J. Force, Lawson H. Force, and Lillian S. Force, Individually and as Co-partners Trading as The Force Company*

This proceeding having been heard by the Federal Trade Commission upon the complaint and amended and supplemental complaint of the Commission, answers of the respondents filed thereto, testimony and other evidence in support of and in opposition to the allegations of said complaint and amended and supplemental complaint taken before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner upon the evidence, briefs filed in support of the complaint and amended and supplemental complaint and in opposition thereto, and stipulation as to the facts entered into between counsel for the Commission and counsel for the respondents dated October 30, 1943; and the Commission having made its findings as to the facts and its conclusion that respondent Howard J. Force has violated the provisions of the Federal Trade Commission Act:

*It is ordered,* That the respondent Howard J. Force, an individual, and his representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of his medicinal preparations designated "Pheno-Isolin," "Pheno-Isolin Ointment," and "Dialin," or any other preparation of substantially similar composition or possessing substantially similar properties, whether sold under the same names or under any other names, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act which advertisement represents directly or through inference:

a. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment is a powerful germicide or antiseptic or that its use will prevent infection or destroy bacteria.

b. That the germicidal and antiseptic properties of respondent's preparations Pheno-Isolin or Pheno-Isolin Ointment are sufficient to be of value in surgery or as surgical dressings or that said preparations have any therapeutic value in the treatment of peritonitis, gangrene, or ulcerated cancer.

c. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment has any therapeutic value in the treatment of ankylosis, or stiffening of the joints.

d. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment has any therapeutic value in the treatment of coughs, colds, sore throat, sinus conditions, influenza, or other respiratory diseases.

e. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment has any therapeutic value in the treatment of diphtheria or septic sore throat.

f. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment has any therapeutic value in the treatment of infections or infectious conditions, such as ulcers, sores, boils, carbuncles, or abscesses.

g. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment has any therapeutic value in the treatment of athlete's foot or that its use will relieve the burning and itching inflammation caused by such condition or help heal the irritated tissues.

h. That respondent's preparation Pheno-Isolin or his preparation Pheno-Isolin Ointment constitutes a competent or effective treatment of skin infections, eczema, or burns.

i. That respondent's preparation Pheno-Isolin has any therapeutic value in the treatment of hemorrhoids or piles.

j. That respondent's preparation Dialin constitutes a competent or effective treatment for diabetes or has any therapeutic value in the treatment of diabetes.

k. That the use of respondent's preparation Dialin will assist the pancreas to produce insulin, correct abnormal conditions of the body caused by diabetes, or eliminate the necessity for the use of insulin where the condition of diabetes exists.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce as "commerce" is defined in the Federal Trade Commission Act of respondent's preparations, which advertisement contains any of the representations prohibited in paragraph 1 hereof and the respective subdivisions thereof.

*It is further ordered,* That this matter be, and the same hereby is, closed as to the corporate respondent Scientific Manufacturing Company, Inc., and the individual respondents Lillian S. Force and Lawson H. Force, without prejudice to the right of the Commission, should the facts so warrant, to reopen the same and resume trial thereof in accordance with its regular procedure.

*It is further ordered,* That the respondent Howard J. Force shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-8239; Filed, June 7, 1944;  
11:23 a. m.]

## TITLE 32—NATIONAL DEFENSE

## Chapter VI—Selective Service System

[Amdt. 236]

PART 653—WORK OF NATIONAL IMPORTANCE  
UNDER CIVILIAN DIRECTION

## MISCELLANEOUS AMENDMENTS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (c) of § 653.1 to read as follows:

§ 653.1 *Work projects.* \* \* \*

(c) The responsibility and authority for supervision and control over all projects is vested in the Director of Selective Service.

2. Amend paragraph (b) of § 653.2 to read as follows:

§ 653.2 *Camps.* \* \* \*

(b) Government-operated camps may be established in which the work of national importance and camp operations will both be under the civilian direction of a technical agency using funds provided by the Selective Service System and operating under such camp rules as may be prescribed by the Director of Selective Service.

3. Amend paragraphs (a) (e) and (f) of § 653.3 to read as follows:

§ 653.3 *Property and finance.* (a) The Director of Selective Service will make available for each technical agency having supervision over a work project such funds as he may determine are required for the operation of camps under the civilian direction of such technical agencies. Such funds will be made available and accounted for in the manner administratively provided by the Director of Selective Service.

(e) The Director of Selective Service is authorized to provide, without expense to assignees in Government-operated camps, subsistence, proper clothing for the performance of their duties, and such personal supplies or equipment as he deems necessary for such assignees. In lieu of providing such items, the Director of Selective Service is authorized to pay to assignees in Government-operated camps such cash allowances as he deems necessary.

(f) Except when otherwise specifically authorized for a particular purpose by the Director of Selective Service, the purchase and procurement of food, supplies, clothing, and equipment; the maintenance and repair of buildings and equipment; the pay of administrative personnel; the payment of allowances to assignees; and any and all other transactions involving the obligation and expenditure of selective service funds in connection with Government-operated camps shall be in accordance with the laws, rules, and regulations governing such transactions within the Selective Service System.

4. Amend paragraph (a) of § 653.4 to read as follows:

§ 653.4 *Special provisions concerning travel and subsistence expenses.* (a) Unless necessary transportation, meals and lodgings are provided at no expense to the Selective Service System, Government Requests for Transportation (Standard Form No. 1030) and Government Request for Meals or Lodgings for Civilian Registrants (Form 256) shall be supplied by the Director of Selective Service to the National Service Board for Religious Objectors or to the technical agency operating the camp, which in turn shall supply camp directors with such requests as are necessary. Upon receiving from the Director of Selective Service an order of transfer of an assignee, the camp director shall issue requests to the assignee to provide for necessary transportation, meals and lodgings between the place where the assignee is and the place to which he is being transferred. Upon receiving from the Director of Selective Service a Certificate of Release (Form 45) or an Interim Certificate (Form 46) for an assignee, the camp director shall issue requests to the assignee to provide for necessary transportation, meals and lodgings between the camp (or other place of release) and (1) the local board from which the assignee was assigned; or (2) the assignee's home, if the distance thereto is equal to or less than the distance to the local board of assignment; or (3) any other place chosen by the assignee if the distance thereto is equal to or less than the distance to the local board of assignment; provided that if an assignee has been transferred to the camp (or other place of release) for the convenience of the assignee, he shall not be provided with requests in excess of the requests that would have been required had such transfer not taken place. Government Requests for Transportation (Standard Form No. 1030) and Government Request for Meals or Lodgings for Civilian Registrants (Form 256) shall be issued in accordance with the provisions of §§ 608.44 and 608.45.

5. Amend paragraphs (b) (c), and (d) and add paragraph (e) to § 653.11 to read as follows:

§ 653.11 *Reception at camps.* \* \* \*

(b) As soon as possible after the assignee has reported to camp, the camp physician shall give him a physical examination and shall determine whether there has been any change in the assignee's physical or mental condition since his preinduction physical examination. If a camp physician is not available, the camp director, to the extent that he is capable of doing so, shall, by observing and questioning the assignee, make such determination. The camp physician or the camp director, as the case may be, shall, on the bottom of page 4 of the original and first copy of the Report of Physical Examination and Induction (Form 221) make a record of such determination.

(c) Irrespective of the determination which is made as a result of the examination of an assignee made under the provisions of paragraph (b) of this section, the camp director shall, on the bottom of page 4 of the original and first copy of the Report of Physical Examination and Induction (Form 221) place a statement that a registrant is accepted for work of national importance at the civilian public service camp to which the registrant has been assigned. The statement shall specify the date and place of such acceptance and shall be signed by the camp director who shall retain the first copy of the Report of Physical Examination and Induction (Form 221) and shall forward the original to the Director of Selective Service.

(d) Upon receiving notice that a registrant has been accepted for work of national importance, the local board shall not change his classification but shall note the fact of his acceptance for such work in the Classification Record (Form 100).

(e) In the event an assignee does not report to the camp at the time prescribed in his Order to Report for Work of National Importance (Form 50) or pursuant to the instructions of the local board, the camp director will report such fact to the Director of Selective Service.

6. Amend paragraph (d) of § 653.15 to read as follows:

§ 653.15 *Release for induction into the land or naval forces.* \* \* \*

(d) An assignee's application to volunteer for induction into the land or naval forces either for combatant or noncombatant service shall be submitted to the Director of Selective Service through his camp director. Such application need not be in any particular form but shall contain the following information: The assignee's name, residence address at the time of assignment, order number, local board number and location, a request for immediate induction, and the name of the camp to which he is assigned. The camp director is not required to approve or disapprove such request, but if he sees fit, he may submit a report concerning the assignee to the Director of Selective Service. Such assignee shall retain his status as an assignee and will remain in camp until released by the Director of Selective Service.

The foregoing amendments to the Selective Service regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

JUNE 6, 1944.

[F. R. Doc. 44-8235; Filed, June 7, 1944;  
11:22 a. m.]

## TITLE 32—NATIONAL DEFENSE

## Chapter IX—War Production Board

## Subchapter B—Executive Vice-Chairman

**AUTHORITY:** Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

## PART 933—COPPER

[Conservation Order M-9-c, as Amended May 26, 1944, Amdt. 1]

Section 933.4 *Conservation Order M-9-c* is hereby amended by changing paragraph (c) as follows:

a. By inserting the following language immediately after the numeral (1) The restrictions of this subparagraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board.

b. By inserting a new subparagraph (2) to read as follows:

(2) The restrictions of this subparagraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No person shall use for any purpose in manufacture, any copper base alloy foundry product, either rough or finished, containing more than 74% copper or 2% tin, unless one or more of the following conditions is satisfied:

(i) He was lawfully using copper base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher copper or tin content;

(iii) The specifications of the Army or Navy of the United States, the U. S. Maritime Commission or the War Shipping Administration, applicable to the contract, subcontract or purchase order call for an alloy with a higher copper or tin content; or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher copper or tin content. (Applications for specific authorization under this subparagraph to use copper base alloy foundry products containing more than 74% copper or 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Copper Division of the War Production Board, Washington 25, D. C., Reference: M-9-c. A provision similar to this subparagraph (2) appears in Order M-43 and one application is sufficient under both Orders M-9-c and M-43)

c. By renumbering paragraph (c) (2) as paragraph (c) (3)

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-8130; Filed, June 6, 1944;  
11:36 a. m.]

## PART 1001—TIN

[General Preference Order M-43, as Amended June 6, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of tin for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1001.1 *General Preference Order M-43—(a) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(b) *Applicability of order* The prohibitions and restrictions contained in this order shall apply to the use of material in all items or articles hereafter manufactured irrespective of whether such items or articles are manufactured pursuant to a contract made prior or subsequent to January 10, 1944, or pursuant to a contract supported by an allotment symbol or a preference rating. Insofar as any other order of the War Production Board may have the effect of limiting or curtailing to a greater extent than herein provided the use of tin in the production of any item or article, the limitations of such other order shall be observed.

(c) *Definitions.* For the purposes of this order:

(1) "Tin" means and includes both pig tin and secondary tin.

(2) "Pig tin" means metal containing 98% or more by weight of the element tin, in shapes current in the trade (including anodes, small bars, and ingots) produced from ores, residues or scrap.

(3) "Secondary tin" means any material (except tin plate and terne plate as those terms are defined in Supplementary Order M-21-e) which contains less than 98% but not less than 1.5% by weight of the element tin.

(4) "Manufacture" means to fabricate, assemble, melt, cast, extrude, roll, turn, spin, produce, coat, or process in any way, but does not include the processing of tin ore, concentrates, residues or scrap into metallic tin.

(5) "Inventory" of a person includes the inventory of affiliates and subsidiaries of such person, and the inventory of others where such inventory is under the control of or under common control with, or available for the use of such person.

(6) "Implements of war" means combat end-products, complete for tactical operations (including, but not limited to, aircraft, ammunition, armaments, weapons, ships, tanks, military vehicles and radio and radar equipment) and any parts, assemblies or materials to be incorporated in any of the foregoing items. This term does not include facilities or equipment used to manufacture the foregoing items.

(7) "Base period" means the corresponding calendar quarter of 1940.

(8) "Distributor" means any person regularly engaged in the business of buying and selling tin, and includes warehousemen and jobbers.

(d) *General restrictions on use of tin.* (1) No product or article or part thereof shall be manufactured of pig tin if it is possible to use secondary tin for such purpose.

(2) No tin in any form shall be used in the manufacture of any item or in any process appearing on List A of this order; nor shall tin be used for any purpose except to manufacture the items or for the purposes listed in Schedule I, II, III or IV of this order, and then, only within the limitations and restrictions specified in Schedule I, II, III or IV with respect to such item or purpose.

(e) *Restrictions on the use of certain tin products.* Except with the specific permission in writing of the War Production Board granted pursuant to appeal under paragraph (k) no person shall use any of the tin-bearing products on List B of this order in the manufacture or treating of any other product or article; *Provided*, That when any such tin-bearing product is listed in Schedule I, II, III or IV it may be used for the purposes for which it is permitted to be manufactured as specified in Schedule I, II, III or IV

(f) *Restrictions on deliveries.* (1) No person shall deliver or accept delivery of pig tin without the specific authorization in writing of the War Production Board; *Provided, however* That in the absence of a contrary direction by the War Production Board, pig tin may be delivered without specific authorization:

(i) To the Metals Reserve Company or to any other corporation organized under section 5(d) of the Reconstruction Finance Corporation Act as amended (15 U. S. C., sec. 606 (b)) or to any duly authorized agent of any such corporation.

(ii) By any distributor in lots of three long tons or less up to but not exceeding a total of five long tons to any one customer in the same calendar month; *Provided*, That the aggregate of such deliveries which any person may receive from all distributors pursuant to the authority of this paragraph shall in no event exceed five long tons in any calendar month; and provided further, that any person seeking such a delivery shall, at the time of placing his purchase order, file with the distributor a statement substantially in the following form, signed manually or as provided in Priorities Regulation No. 7 by an official duly authorized for such purpose:

The undersigned hereby certifies:

(a) That no allocation of pig tin has been made to the undersigned by the War Production Board during the calendar month in which delivery of the pig tin covered by the accompanying purchase order is specified;

(b) That such pig tin if delivered will not cause the undersigned's total receipts of pig tin from all distributors during the same calendar month pursuant to the authoriza-



tion of paragraph (f) of General Preference Order M-43, as amended, to exceed five long tons; and

(c) That such pig tin will not be used or disposed of by the undersigned in violation of any order or regulation of the War Production Board.

-----  
(Name of purchaser)  
By -----  
(Duly authorized official)

(2) On or before the 10th day of each calendar month, each distributor shall report to the War Production Board in such form and detail as said Board may from time to time prescribe, (subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942) his transactions in all pig tin during the previous month.

(g) *Allocations.* The War Production Board will from time to time allocate the supply of pig tin, including all pig tin released by the Metals Reserve Company, and issue specific directions as to the source, destination, and the amount of pig tin to be delivered or acquired. The War Production Board may also specifically direct the purposes and end products for which any person may convert, process or fabricate pig tin allocated to him.

(h) *Applications for and reports of pig tin.* Application for allocations of pig tin or for specific authorization to accept delivery thereof under paragraph (f) shall be made to the War Production Board not later than the 20th day of the month next preceding the month in which delivery is desired, on Form WPB-412 or such other form as the War Production Board may from time to time prescribe. Any person who on the first day of a calendar month has in his possession or under his control two long tons or more of pig tin or who used during the preceding calendar month, 3,000 pounds or more of pig tin, shall, not later than the 20th day of such month, report to the War Production Board on Form WPB-412 in accordance with the instructions accompanying such form, regardless of whether or not he seeks an allocation of pig tin or specific authorization to accept delivery thereof during the next succeeding month.

(i) *Prohibitions against sales or deliveries with knowledge of intended misuse.* Notwithstanding the authorization by the War Production Board of a sale or delivery of tin, no person shall sell or deliver any tin or tin-bearing material or product thereof in the form of raw materials, semi-processed materials, finished parts or sub-assemblies to any person if he knows or has reason to believe such material or any product thereof is to be used in violation of the terms of this order. A supplier may rely upon the written statement of the customer seeking delivery of any such material, as to the purposes for which it will be used, unless the supplier knows or has reason to believe such statement to be false, and any such statement shall constitute on the part of the person making the same, a representation to the War Production Board within the meaning of section 35 (A) of the United States Criminal Code, 18 U. S. C. Sec. 80.

(j) *Limitation on inventories.* No person shall receive delivery of tin, or products thereof, in the form of raw materials, semi-processed materials, finished parts or sub-assemblies nor shall he put into process any raw material, in quantities which in either case shall result in an inventory of such raw, semi-processed or finished material in excess of a minimum practicable working inventory, taking into consideration the limitations placed upon the production of tin products by this order. In the absence of special permission to acquire or hold a greater supply of pig tin, forty-five days' inventory of such tin shall, for the purpose of this order, be deemed a practicable working inventory for any person except a manufacturer of tin plate as tin plate is defined in Supplementary Order M-21-e, as from time to time amended. Application for such special permission shall be made by letter to the War Production Board setting forth fully the facts upon which the applicant relies.

(k) *Appeals and communications.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds of the appeal. Appeals, reports and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Tin and Lead Division, Washington 25, D. C., reference: M-43.

(l) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHEELER,  
Recording Secretary.

#### LIST A

NOTE: Item 19 deleted; Items 20 through 27 redesignated 19 through 26, June 6, 1944.

Pursuant to the foregoing order, the use of tin in any form, including semi-finished and finished products, in the manufacture of the items and for the purposes listed below is prohibited:

1. Advertising specialties.
2. Art objects.
3. Automobile body solder, or any similar material commonly used as a filler or smoother for automobile or truck bodies or fenders except as permitted in Schedule II, paragraph (8) (a).
4. Band and other musical instruments (except as permitted in Schedule I under the item "pipe organs" paragraph 11).
5. Britannia metal, pewter metal or other similar tin bearing alloy.
6. Broom wire.
7. Buckles.
8. Buttons.

9. Chimes and bells.
10. Emblems and insignia.
11. Fasteners: eyelets, spiral binders, office and industrial staples, book match clips, paper clips, slide fasteners, dress hooks.
12. Foil (except as permitted in Schedule I under the item "foil" paragraph 4).
13. Zinc galvanizing.
14. Household furnishings and equipment.
15. Jewelry.
16. Kitchen equipment (including cutlery and tableware), except as permitted in Schedule I, paragraphs 6 and 15.
17. Novelties, souvenirs and trophies.
18. Ornaments and ornamental fittings.
19. Plating or coating for decorative purposes.
20. Powder (decorative).
21. Refrigerator trays and shelves.
22. Seals and labels.
23. Slot, game and vending machines.
24. Coated paper.
25. Tin oxide and other tin chemicals (except as permitted in Schedule I, paragraph 18).
26. Toys and games.

#### LIST B

The following tin-bearing products shall not be used in the manufacture or treating of any other products except in accordance with the provisions of paragraph (e) of the foregoing order:

1. Automobile body solder or any similar material containing tin, commonly used as a filler or smoother for automobile or truck bodies or fenders.
2. Tin oxide and other tin chemicals (except as permitted in Schedule I, paragraph 18).
3. Solder containing more than 21% by weight of tin.
4. Babbitt metal or similar alloys used as babbitt containing more than 12% by weight of tin.
5. Britannia metal, pewter metal or other similar tin-bearing alloy.
6. Foil containing more than 1% tin by weight.
7. Copper-base alloy containing more than 2% tin by weight.

[NOTE: Schedule I rescinded; Schedules I to IV added June 6, 1944.]

#### SCHEDULES

Pursuant to the foregoing order, tin may be used only in the production of the items and for the purposes set forth in these Schedules, subject to any limitations, restrictions or conditions specified with respect to any such items or purpose and then, only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable.

The conditions, restrictions and limitations set forth in these Schedules with respect to any listed item or purpose shall apply to the manufacture of "Implements of War" produced for the Army or Navy of the United States, U. S. Maritime Commission or the War Shipping Administration, except where the use of tin in the grade and to the extent employed is required either by the latest applicable specifications, on drawings, or by letter or contract of the government service or agency for which the same are being produced.

#### SCHEDULE I—MISCELLANEOUS

1. *Detonators and blasting caps (including electric blasting caps).* This item includes all necessary parts and accessories but is limited to detonators and blasting caps which are to be used in mining, quarrying, or oil drilling operations. Necessary materials to be incorporated in such detonators or blast-

ing caps shall be exempt from the limitations, conditions and restrictions specified in this schedule with respect to any such material.

2. *Tin plate, terne plate, and terne metal.* Tin plate, terne plate and terne metal, as respectively defined in Supplementary Order M-21-e, as from time to time amended, may be manufactured as permitted under the provisions of said supplementary order. Terne metal, however, may be manufactured from secondary tin only.

3. *Collapse tubes.* The use of tin in the manufacture of collapsible tubes is permitted subject to the limitations and restrictions of Conservation Order M-115, as amended from time to time.

4. *Foil.* In the manufacture of foil the tin content shall be limited as follows, according to the purposes for which it is to be used:

(i) Electrotypers foil—not more than 16% tin by weight.

(ii) Dental foil—not more than 30% tin by weight.

(iii) Foil to be used in condensers—not more than 4½% tin by weight.

(iv) Soft babbitt foil for the preparation of industrial metallic packing—not more than 1.5% tin by weight.

(v) Foil to be used in aircraft magnetos—not more than 50% tin by weight.

The quantity of tin which any person may use in the manufacture of foil during any calendar quarter shall be limited to 25% of the quantity used by him in the manufacture of foil during the base period.

5. *Dairy equipment.* Tin may be used to coat fluid milk shipping containers which are manufactured within the restrictions and in accordance with the provisions of Conservation Order M-200. Tin may be used to manufacture dairy equipment other than such fluid milk shipping containers, but the total quantity used by any person in the manufacture of such other dairy equipment during any calendar quarter, shall be limited to the quantity used by him for such purposes during the base period. Any dairy equipment may be retinned, *Provided only*, That the amount of tin which any retinner may use during any calendar quarter, for the retinning of dairy equipment, shall be limited to 150% of the quantity used by him for such purposes during the base period.

6. *Kitchen, galley and mess equipment* for the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration or the Forest Service of the United States Department of Agriculture. Tin may be used to coat the foregoing equipment excluding flat ware, to the extent required by the applicable specifications of the service or agency to which such equipment is to be delivered.

7. *Wire—Coating.* Tin or tin alloys may be prepared and used for coating wire only as follows and then, only when specified:

(a) *For copper wire.* There shall be no limitation upon the tin content of the coating alloy when the copper wire to be coated therewith is of a size of .0320" nominal diameter or finer. If the wire to be coated is of size larger than .0320" nominal diameter, the tin content of the coating alloy shall be limited to 12% tin by weight.

(b) *For steel wire.* (i) To be used as armature binding wire.

(ii) To be used in the manufacture of equipment for the production of textiles.

(iii) To be used in the packaging or marking of meat where the wire comes into actual contact with the meat.

(iv) In the liquor finishing process of fine steel bright wire.

8. *Foundry chaplets—Coating.* Alloys containing not more than 5% of tin by weight may be manufactured and used for coating

foundry chaplets. Tin in no other form may be used for such coating, except as permitted under Supplementary Order M-21-e, as amended.

9. *Printing plates and type metal* for use by the printing, publishing and related service industries. Secondary tin only may be used in the manufacture of such plates and type metal. The quantity of secondary tin which any person may use in the manufacture of such plates and type metal during any calendar quarter, shall be limited to 75% of the quantity of tin used by him for such purposes during the base period.

10. *Dental amalgam alloys.* Tin may be used in the manufacture of dental amalgam alloys but the tin content of any such alloy shall be limited to 30% tin by weight.

11. *Pipe organs for religious and educational institutions.* Tin may be used only in the repair and maintenance of such organs and only where and to the extent that the substitution of a less critical material is impossible.

12. *Bolster metal* for use in the manufacture of cutlery and surgical instruments for the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration. The tin content of such bolster metal shall not exceed 10% by weight and shall be derived from secondary tin only.

13. *Fusible alloys and dry pipe valve seat rings.* Tin may be used in the manufacture of fusible alloys and dry pipe valve seat rings to the extent required to meet performance specifications with respect to the operation of the product in which such alloy is to be contained.

14. *Lead-base alloys for coating sheet, tube or wire.* Lead-base alloys containing tin may be manufactured and used to coat steel sheet, steel tubes or steel wire provided the tin content of any such alloy does not exceed 2.5% by weight and is not derived from pig tin.

15. *Equipment for preparing and handling food.* In addition to the purposes specified in item (5) of this schedule with respect to dairy products, tin may be used in the manufacture or repair of the following types of equipment, but only to the extent herein indicated:

(i) To coat or to reline articles of equipment used in the processing or handling of meat in the meat-packing industry, to the extent that any such articles come into actual contact with meat. The equipment intended to be covered by this provision includes, but is not limited to: bacon combs, hangers, metal molds, shovels, forks and scoops for handling sausage and cooking utensils.

(ii) To coat or reline equipment used in the processing or cooking of any food by institutions or by industrial or commercial establishments, but only such equipment as actually comes into contact with food.

16. Tin pipe and sheet tin for lining for use in the repair or maintenance of beverage dispensing units and parts thereof. Tin pipe and sheet tin may be manufactured only for use in the repair or maintenance of beverage dispensing units and parts thereof, provided that any customer for whom such pipe or sheet tin is manufactured shall return to the manufacturer a quantity of used pipe or scrap tin equal in tin content to that of the new pipe or sheet tin delivered to him.

17. *Descaling of metal castings.* Tin may be used in descaling of metal castings to the extent specifically authorized by the War Production Board upon application made to it by letter.

18. *Tin chemicals.* Tin may be used in the manufacture of tin chemicals for use as reagents, and also for use in the electrolytic plating process, where tin plating is permitted.

## SCHEDULE II—SOLDERS

In the manufacture of solder the tin content by weight shall be limited as follows, according to the purpose for which the solder is to be used, *Provided, however*, That no supplier shall deliver any solder, containing more than 30% tin by weight, to any manufacturer or user and no manufacturer or user shall accept delivery of any solder, containing more than 30% tin by weight, from any supplier, unless the manufacturer or user shall have furnished the supplier with the following certificate.

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that the tin contained in the material covered by this order shall be used solely for the purpose listed in schedule \_\_\_\_ section \_\_\_\_ of General Preference Order M-43, or is to be incorporated in an "Implement of War" and the tin content of the material has been definitely specified.

1. Manufacture of all cellular type radiators—solder per radiator shall average not more than 21% tin by weight.

2. Manufacture of all fin and tube type radiators for military and civilian use—solder per radiator shall average not more than 32% tin by weight.

3. Solder containing not more than 50% tin by weight may be used for the following:

(a) Ammunition box liners.

4. Solder containing not more than 40% tin by weight may be used for the following:

(a) Manufacture and repair of all galvanized iron or zinc tanks.

(b) Installation and repair of water service pipes connecting the piping of a structure with the outside water main.

5. Solder containing not more than 35% tin by weight may be used for the following:

(a) All radiator repair, but only in the form of solid or cored wire solder not to exceed ½" in diameter.

(b) Manufacture and repair of any type of indicating, recording, measuring or controlling instruments and their associate control valves.

(c) Manufacture and repair of dairy ware and dairy equipment where solder comes in contact with products.

(d) Manufacture, assembly and repair of galvanized iron items (except tanks) where the assembly is done with a "soldering iron."

(e) Manufacture, maintenance and repair of electric motors, generators and armatures.

(f) Manufacture of electrical fuses.

(g) Manufacture of gas meters. (For the repair of gas meters in accordance with Supplementary Order M-43-b—not more than 38% tin by weight.)

(h) Wiping lead sheathed cable joints or lead pipe joints.

(i) Manufacture or repair of lap and top combs, and other equipment used in the textile industry.

(j) Manufacture of foundry patterns and for soldering patterns to the gates.

(k) Manufacture and repair of the following dairy and egg processing equipment: cheese vats, clarifiers, separators, coolers, heaters and preheaters, dehydrators, fillers, filters, fore-warmers, hot wells, homogenizers and high pressure sanitary pumps, pasteurizers, sanitary centrifugal and positive pumps, vacuum pans and sanitary pipe lines in connection with soldering on sanitary ferrules and fittings.

6. Solder containing not more than 21% tin by weight may be used for the following:

(a) Sealing of milk cans. (Solder used for this purpose is commonly referred to as "tipping solder".)

(b) Soldering side seams of the all-seam-soldered can until August 31, 1944 and after August 31, 1944, a maximum of 5% tin by weight shall be used.

7. Solder containing not more than 5% tin by weight may be used for the following:

(a) Manufacture of cans made with either lock or lap side seam or with a combination of lock and lap side seam, except for the manufacture of the all-seam-soldered can.

8. Solder containing not more than 3% tin by weight may be used for the following:

(a) Repair of automobile bodies and fenders—solder to be derived from secondary sources only.

9. Solder containing not more than 30% tin by weight may be used for the following:

(a) All other uses not covered above and then, only to the extent that substitution of either a less critical material or one of lesser tin content is impracticable.

The total quantity of tin, which any person may use in the manufacture of solder during any calendar quarter, shall be limited to 40% of the quantity used by him in the manufacture of solder during the base period. The tin content of all solder used in the manufacture of "Implements of War" where required by specifications, is wholly exempt from this quota restriction.

#### SCHEDULE III—BABBITT

In the manufacture of babbitt metal and similar alloys used as babbitt, the tin content shall be limited as follows, according to the purposes for which it is to be used, *Provided, however*, That no supplier shall deliver any babbitt, containing more than 12% tin by weight, to any manufacturer or user and no manufacturer or user shall accept delivery of any babbitt containing more than 12% tin by weight from any supplier, unless the manufacturer or user shall have furnished the supplier with the following certificate:

The undersigned purchaser certifies, subject to the penalties of section 35 (A) of the United States Criminal Code, to the seller and to the War Production Board that the tin contained in the material covered by this order shall be used solely for the purpose listed in Schedule \_\_\_\_\_ section \_\_\_\_ of General Preference Order M-43, or is to be incorporated in an "Implement of War" and the tin content of the material has been definitely specified.

1. Repair, maintenance or replacement in existing diesel engines, turbines, locomotive connecting rod or coupling rod bearings, and irrigation water pumping engines and equipment—not more than 90% tin by weight.

2. Manufacture, repair, maintenance or replacement of multivane crosshead linings in locomotives and for lining aluminum crossheads—no restriction.

3. Repair, maintenance or replacement in an industrial engine, compressor, or pump being used by operator engaged in the petroleum industry: *Provided*, In any such case, that any priorities assistance required for such repair, maintenance or replacement is obtained in accordance with Preference Rating Order P-98-b, as amended—not more than 90% tin by weight.

4. Repair, maintenance or replacement in vessels or shipping facilities pursuant to a preference rating duly established or assigned by the United States Maritime Commission—not more than 90% tin by weight.

5. Repair, maintenance or replacement of connecting rod and main engine bearings for trucks and tractors, and for passenger carriers having a seating capacity of not less than 11 persons as defined in Limitation Order L-158—not more than 90% tin by weight.

6. For all other purposes—not more than 12% tin by weight and only secondary tin shall be used.

The total quantity of tin which any person may use in the manufacture of babbitt metal, or other similar alloys used as babbitt, during any calendar quarter, shall be limited to

40% of the quantity used by him in the manufacture of babbitt during the base period. The tin content of all babbitt used in the manufacture of "Implements of War" where required by specifications, is wholly exempt from this quota restriction.

#### SCHEDULE IV—BRASS AND BRONZE

##### A. CAST ALLOYS

(1) Restrictions on new uses of copper-base alloy foundry products. The restrictions of this sub-paragraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board. No person shall use for any purpose in manufacture, any copper-base alloy foundry product, either rough or finished, containing more than 74% copper or 2% tin, unless one or more of the following conditions is satisfied:

(i) He was lawfully using copper base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher copper or tin content;

(iii) The specifications of the Army or Navy of the United States, the U. S. Maritime Commission or the War Shipping Administration, applicable to the contract, sub-contract or purchase order call for an alloy with a higher copper or tin content, or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher copper or tin content. (Applications for specific authorization under this sub-paragraph to use copper-base alloy foundry products containing more than 74% copper or 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Copper Division of the War Production Board, Washington 25, D. C., Ref: M-9-c. A provision similar to this paragraph (1) appears in Order M-9-c and one application is sufficient under both Orders M-9-c and M-43.)

(2) *General restrictions.* In any case where the tin content of brass or bronze foundry products used by a person is not restricted by the provisions of paragraph (1) of this Schedule IV, the tin content of the brass and bronze foundry products which he uses shall be limited as follows, according to the purpose for which such products are used:

(a) For the manufacture of high ratio worm gears, fire engine pump gears, jack nuts, feed nuts, elevating nuts, thrust washers or disks, machine tool spindle bearings, hydraulic pump bodies and ends for gear pumps, grinder spindle sleeve bearings or step bearings—not more than 12% tin by weight.

(b) For the manufacture of heavy, slow cooling castings (such as, for example, steel mill screw-down nuts) where the performance characteristics require that the alpha-delta eutectoid must be retained—not more than 18% tin by weight.

(c) For the manufacture of piston rings for airbrake equipment—not more than 21.5% tin by weight.

(d) For the manufacture of piston rings for locomotives—not more than 20% tin by weight.

(e) For all other purposes, a maximum tin content of 9% tin by weight, unless the lead content of the alloy is equal to, or greater than, the tin content, and in such event, not to exceed 12% tin by weight.

##### B. WROUGHT ALLOYS

(3) *Restrictions on new uses of wrought copper-base alloy products.* The restrictions of this sub-paragraph are in addition to those contained elsewhere in this order and in other orders and regulations of the War Production Board.

No person shall use for any purpose in manufacture, any wrought copper-base alloy product, containing more than 2% tin, unless one or more of the following conditions is satisfied:

(i) He was lawfully using copper-base alloy for the particular purpose some time during the last six months of 1943;

(ii) A War Production Board order or regulation specifically allows an alloy with a higher tin content;

(iii) The specifications of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration, applicable to the contract, sub-contract or purchase order call for an alloy with a higher tin content; or

(iv) He has been specifically authorized in writing by the War Production Board to use an alloy with a higher tin content. (Applications for specific authorization under this sub-paragraph to use wrought copper-base alloy products containing more than 2% tin, where such use would otherwise be in violation of the restrictions stated above, should be made by letter in duplicate addressed to the Tin and Lead Division of the War Production Board, Washington 25, D. C., Ref: M-43.)

(4) *General restrictions.* In any case where the tin content of wrought brass or bronze products used by a person is not restricted by the provisions of paragraph (3) of this Schedule IV, the tin content of the wrought brass and bronze products which he uses shall be limited as follows, according to the purpose for which such products are used:

(i) For the manufacture of thermostatic disks or diaphragms, bronze welding rods, fourdrinier warp wire or rifle nuts in air hammers—not more than 9% tin by weight.

(ii) For all other purposes—not more than 5.8% tin by weight.

[P. R. Dec. 44-8131; Filed, June 6, 1944; 11:36 a. m.]

#### PART 1029—FARM MACHINERY

[Limitation Order L-257, as Amended June 6, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of critical materials entering into the manufacture of farm machinery and equipment and repair parts therefor, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1029.15 *Limitation Order L-257—*  
(a) *What this order does.* This order describes the rules governing the manufacture of farm machinery and equipment and repair parts for sale in the continental United States and possessions. (Manufacture for export is covered by Order L-257-a.) To aid manufacturers in planning a continuous production cycle, it is the intention that this will be the basic order from year to year. However, it is expected that a new schedule of quota percentages will be issued as a part of the order each year for the "current quota period" starting July 1 of that year, and this will become the "applicable schedule" for that period. For example, the applicable schedule for the period July 1, 1943 to June 30, 1944, is Schedule A; for the following twelve-month period starting July 1, 1944, the new applicable schedule might be called

Schedule B, etc. In order that producers may plan their production and order materials in advance, they may assume that the schedule in effect at any particular time will continue into the next "current quota period" until such time as a new schedule is issued. At present, there is no quota limitation on repair parts.

In addition to quota and other limitations on manufacture, this order also has rules on the filing and approval of production schedules, covering machinery and equipment (both farm and non-farm) and repair parts. Producers affected must stick to their schedules, with certain exceptions, so that the various programs, both farm and non-farm, can be met on time.

(b) *Definitions.* For the purpose of this order (and any orders supplementary hereto, unless otherwise indicated)

(1) "Producer" means any person, other than a supplier, to the extent that he is actively engaged in the current manufacture (in the United States) of farm machinery and equipment or of repair parts for farm machinery and equipment, but does not include any person who did not manufacture any farm machinery and equipment or repair parts in 1940 or 1941.

(2) "Small producer" means any producer whose total net sales (including exports and sales by affiliates) of all products did not exceed \$100,000 during the calendar year 1941, and includes any other producer who has been classified by the Smaller War Plants Corporation as a "smaller, distressed producer" and is specifically designated as such for the purpose of this order by the War Production Board, on such terms and conditions as may be proper.

(3) "Manufacture" means to put into process, machine, fabricate, or otherwise alter materials by physical or chemical means.

(4) "Supplier" means any person engaged in the manufacture (for sale to a producer in the United States) of materials, parts, assemblies or subassemblies to be physically incorporated into farm machinery and equipment or repair parts manufactured by such producer, or to be resold by such producer as repair parts.

(5) "Machinery and equipment" means agricultural machinery, mechanical equipment and implements (including all attachments used in conjunction therewith) of the types ordinarily manufactured for farm use, and listed on the applicable schedule attached hereto.

(6) "Farm use" means use for the production or care of crops, livestock, livestock products, or other produce on a farm (or elsewhere in the case of poultry). The term also includes use for the production or care of crops in "victory gardens" with respect to atomizing hand sprayers, hand dusters, wheel-type hand cultivators and wheel-type hand plows, and use for any civilian purpose with respect to horseshoes, muleshoes, oxen-shoes and harness hardware.

(7) "Farm machinery and equipment" means machinery and equipment which is manufactured specifically for farm use, including irrigation and drainage

equipment (excluding tile) horseshoes, muleshoes, oxen-shoes, harness hardware, and water well casing (fabricated by other than pipe mills) but excluding repair parts, and also excluding all of the following: tracklaying type tractors, fencing, poultry netting and wire, wire fencing, bale ties or straps, oil well casing and water pipe, grain bins and corn cribs, water storage tanks, nails (all kinds) and sundry hardware (including hand tools, chains, barn door track, pulleys, scales, and similar items not specified on the applicable schedule)

(8) "Non-farm machinery and equipment" means machinery and equipment, as defined in paragraph (b) (5) above, which is manufactured pursuant to rated orders for any purpose other than farm use.

(9) "Attachment" for machinery and equipment means a supplementary appliance which may be added to an otherwise complete machine to extend the utility of such machine.

(10) "Repair parts" means all types of replacement parts considered separately or as assemblies which are manufactured for use and used in the repair and maintenance of "farm machinery and equipment" and shall include plow shares and shapes, and water pump cylinders. No item listed on the applicable schedule shall be deemed a repair part.

(11) "Base production" means the weight of a producer's total manufacture in the United States of any item of farm machinery and equipment for sale in the United States during either the calendar year 1940 or 1941, in whichever year such weight was the greater.

(12) "United States" means the forty-eight states, the District of Columbia, Alaska, Hawaii, Puerto Rico, the Virgin Islands, and all other territories and possessions of the United States.

(13) "Current quota period" means the twelve-month period which starts July 1 of any year and ends June 30 of the following year, as identified on the applicable schedule.

(14) "Applicable schedule" means the particular schedule relating to a current quota period, and fixing manufacturing quotas (for sale in the United States) for each item listed for that period.

(c) *Restrictions on production for domestic farm use*—(1) *Manufacturing quotas.* During any current quota period, no producer shall manufacture, for sale in the United States, more of any item of farm machinery and equipment (by weight) than his quota for that item. This quota is figured by taking the percentage shown for the item on the applicable schedule, and multiplying it by his base production of the item. Exceptions to this general rule are stated in paragraph (d). Special restrictions are set forth in subparagraph (2) below and in paragraph (f).

(2) *Special restrictions.* (i) No person who is not a "producer" has any quota. However he may manufacture farm machinery and equipment and repair parts of an aggregate value up to \$2,500 during any current quota period.

(ii) No item which is not provided for in the applicable schedule shall be manu-

factured as "farm machinery and equipment" for sale in the United States.

(iii) No person shall manufacture for sale in the United States any item of farm machinery and equipment requiring rubber tires except the following items:

Wheel type tractors including garden type.  
Combines.  
Pick-up hay balers and field hay harvesters.  
Corn pickers.  
Power sprayers over ten gallons per minute.  
Any item requiring tires to be mounted on wheel rims of the following sizes (diameter) 15" 16" 18" 20" and 21"

(iv) No producer who is not a "small producer" shall manufacture, for sale in the United States, any item of farm machinery and equipment (or non-farm machinery and equipment) except to the extent listed on an approved production schedule under paragraph (e)

(3) *Adjustments in quotas.* The War Production Board may, by specific written directions or authorizations issued to any producer or other person affected by this order, increase or decrease any quota or authorized use of materials; and may transfer any portions of quotas between producers, taking into account the amount and weight of materials to be used, the need for particular items at the time required in particular areas, the labor and transportation situation in the manufacturing areas involved, and such other factors as may be proper.

(d) *Exceptions*—(1) *No quota for repair parts.* Producers may manufacture repair parts for sale in the United States without any restrictions as to quota. However, they must comply with paragraph (e) with respect to production schedules.

(2) *Bracketed items.* Wherever, in an applicable Schedule, two or more items are bracketed together, the producer must apply the individual percentages to his base production of each item in the bracket and add up the various weights. This total permissible weight may then be distributed among all or any one or more of the items in that bracket as he chooses (regardless of the individual quota percentages)

(3) *Attachments may be lumped together.* Any producer may choose not to follow the individual quota percentages for items of attachments as indicated on the applicable schedule, and instead manufacture not more than an aggregate of 75% of his total base production of all attachments. This total may be distributed among all or any one or more of the attachments made by him. However, once this choice is made, the producer must stick to it for all attachments to be made during the current quota period.

(4) *Small producers.* Any "small producer" may use the quota percentage "100%" instead of the quota percentage listed on any applicable schedule for any item or items which he makes, but only to the extent that the weight of his total manufacture of all items of farm ma-

chinery and equipment during the current quota period does not exceed, in the aggregate, 100% of his base production of these items. In addition, small producers do not have to comply with certain provisions of this order with respect to production schedules or other reports, as stated in subparagraph (c) (2) (iv) and paragraphs (e) and (k). However, this does not relieve them from complying with all CMP Regulations and procedures.

(5) *Production before or after current quota periods*—(i) *Advance planning of production.* Before the beginning of any current quota period, producers may plan their production, order materials and start initial fabrication in accordance with the applicable schedule for the coming period. For this purpose, until such time as a new applicable schedule is issued, it may be assumed that the schedule currently in effect will apply for this next period. In other words, the schedule in effect is always the "applicable schedule" unless and until displaced by a new schedule.

(ii) *Carry-over of uncompleted portions of quotas.* Any portions of quotas for sale in the United States under an applicable schedule (including all amendments, appeals and specific authorizations) which are not completely manufactured by the end of the current quota period, may be carried over and added to the corresponding quotas of the next current quota period but only to the extent that they can be completed by July 31 of this next period. However, uncompleted quotas (domestic, and those under Schedule B-6) under Order L-170 may be carried over as explained above for completion any time before June 30, 1944. In addition, uncompleted quotas for the following items of harvesting machinery and equipment under Schedule A (including special authorizations, etc.) may be carried over for completion any time before September 30, 1944:

Combines (Items 126 and 126a only).  
Corn binders (Items 132 and 132a only).  
Corn pickers (Items 133-136).  
Field ensilage harvesters. (Item 137).  
Peanut pickers (Item 161).  
Corn shellers (Items 166 and 167 only).  
Hay balers (Items 172, 172a and 172b only).  
Feed grinders and crushers (Items 174, 175, and 175a only).  
Portable elevators (Item 188).

(6) *Substitute materials.* Any person may manufacture for sale in the United States the following items, without regard to the restrictions of this order, if they are made from the substitute materials listed:

Bee hives.  
Farm gates.  
Feed trucks.  
Grit boxes.  
Hog troughs.  
Laying nests.  
Livestock feeders.  
Milk stools.  
Poultry feeders.  
Poultry waterers.

These items are unrestricted only if they are made entirely (except for nails and essential strappings and fastenings, and except for doors in the case of livestock feeders) from any one or more of the following materials:

Glass or other ceramic products.  
Plain concrete.  
Fibre board.  
Wood fibre products.  
Plywood (produced with binder or adhesive not restricted by Schedules 9, 10, and 11 of General Allocation Order M-360 or any other applicable M or L order).  
Gum and other hardwood lumber.  
Softwood lumber (subject to the restrictions of Conservation Order M-208 and all other applicable M and L Orders).

Some of the items listed above are also given quotas on the applicable schedule. These quotas apply only to the extent that the items are to be made from iron or steel.

(7) *Substitution for critical materials encouraged.* If the weight of any item of farm machinery and equipment manufactured by a producer has been or will be increased by his substituting for more critical materials any of the materials listed above in subparagraph (d) (6) he may still manufacture in any current quota period the number of units which would have been within his domestic quota before making the substitution. Also a producer may apply for additional quota for any item in which he can substitute these materials entirely for more critical materials.

(8) *Assignments of quota.* All assignments of quota specifically authorized by appeal under Limitation Order L-170 for the period starting November 1, 1942, or under this Order L-257, are re-authorized for each current quota period. The assignee, in figuring his additional quota, must take the percentage on the applicable schedule for each item transferred and multiply it by the assignor's base production of that item. The assignor's quota is, to that extent, revoked.

(e) *Production schedules*—(1) *AA-2 for purpose of scheduling production.* Producers and other persons authorized to manufacture under this order may schedule their production of items of farm machinery and equipment and repair parts as if the orders for these items bore a rating of AA-2.

(2) *Production schedules must be filed: exemption for "small producers"* With respect to each item of machinery and equipment (both farm and non-farm) and repair parts, each producer must file a production schedule on Form WPB-3181, listing the quantities he plans to have available for shipment (within his quota and other authorizations under this order) to various classes of customers, in accordance with the instructions on the form. This production schedule is deemed approved as filed, unless the producer is notified in writing to the contrary by the War Production Board. "Small producers" do not have to file this form.

(3) *Items on approved schedule to be available for shipment; changes in schedule.* Each producer must have available for shipment each month to each class of customer the quantities of each item and of repair parts as indicated on his approved schedule. However, he may complete (within his approved total) more than his schedule in any month, except that, in the case of wheel-type tractors, a producer may not complete in any calendar quarter more tractors than the total shown on his approved schedule for that quarter, plus any approved amounts scheduled but not completed in previous quarters. He may also, if necessary, delay completion of any quantities scheduled for any class of customer for any month up to the last day of the next month. Any other change in an approved schedule must be reported on Form WPB-3181 and the change will be deemed approved as filed, unless the producer is notified in writing to the contrary by the War Production Board.

(4) *Deliveries for farm use protected.* A producer must deliver all quantities of items listed on an approved schedule (WPB-3181) for farm use and for export without regard to preference ratings, unless otherwise specifically directed in writing by the War Production Board. Small producers and other persons under this order not required to file production schedules may deliver items for farm use and for export without regard to any orders bearing preference ratings of AA-2x or lower.

(f) *Further restrictions*—(1) [Deleted Mar. 23, 1944]

(2) *Restrictions on sale for domestic use.* Subject to such directions as may be issued from time to time as to rationing control by the War Food Administrator, no person shall sell any item of new farm machinery and equipment (except poultry equipment, horseshoes, mule-shoes, oxen-shoes, and harness hardware) which was manufactured for sale in the United States, and which he knows or has reason to believe will not be used in the hands of the ultimate consumer for farm use, except to fill a contract or purchase order bearing a preference rating of AA-4 or higher. If the rated order is for an item which farmers can get only by furnishing purchase certificates under Food Production Order 14 or any other applicable regulation of the War Food Administration, the seller must not fill the order from stock. However, in the following special cases, the seller may sell any of these items from stock for non-farm use on an order rated AA-4 or higher:

(i) If the item is in his stock as a replacement for one previously sold on a rated order, or

(ii) After he has extended the rated order to his supplier and has actually received the particular item, or

(iii) If the rated order is placed with him directly by the Army or Navy (and



not indirectly by a contractor or otherwise) or

(iv) If he is a producer (but producers must comply with all applicable orders and regulations, particularly paragraph (e) (4) of this order)

(g) *Excess inventory.* Any producer may sell to any other producer any material in his inventory which is in excess of his requirements for the items of farm machinery and equipment and repair parts authorized to be manufactured under the provisions of this order. Such sales shall be expressly permitted within the terms of paragraph (c) (3) of Priorities Regulation No. 13.

(h) *Conservation of materials.* (1) If any other order of the War Production Board limits the use of critical materials in the manufacture of farm machinery and equipment, non-farm machinery and equipment, or repair parts to a greater extent than this order does, the other order shall govern unless it states otherwise.

(2) The War Production Board may also from time to time issue special orders requiring standardization, simplification, substitution, or other measures to save critical materials in the manufacture of farm machinery and equipment, non-farm machinery and equipment, or repair parts.

(i) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(j) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(k) *Reports.* Each producer who is not a "small producer" must file by the 10th day of each month a report on Form WPB-1768 of his production during the previous month in accordance with the accompanying instructions. The first report must be filed on or before September 10, 1943. In addition, if any serious production trouble or delay develops between dates of filing the above Form WPB-1768, the producer should immediately advise the War Production Board, including the following information where applicable:

(1) The name of any material or component part, the non-delivery of which is, or will be, materially retarding his production.

(2) The name of the manufacturer or supplier with whom the order was placed.

(3) Producer's purchase order number.

(4) Date of the order.

(5) Supplier's order number.

(6) Promised date of delivery.

(l) *Applicability of regulations.* This order and all transactions affected by it are subject to all present and future regulations of the War Production Board, unless this order states otherwise.

(m) *Order L-170.* Except as otherwise stated in this order, it supersedes Limitation Order L-170 as of July 1, 1943.

(n) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C. Ref: L-257.

NOTE: The reporting requirements in paragraphs (k), (c) (2) (iii), (e) (2) and (e) (3) have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A TO L-257

APPLICABLE SCHEDULE FOR CURRENT QUOTA PERIOD  
JULY 1, 1943 TO JUNE 30, 1944, INCLUSIVE

*Manufacturing Quotas for Items of Farm Machinery and Equipment for Domestic Farm Use*

Producers are not restricted by any quota percentage in the manufacture of repair parts.

Quotas for new machinery and equipment for farm use are expressed as a percentage of the net shipping weight of each item produced during 1940 or 1941, whichever was higher. In accordance with paragraph (d) (2), production of "bracketed items" may be distributed among all or any one or more items included in the particular bracket, so long as the total weight does not exceed that determined by applying the various quota percentages to the items in the particular bracket.

"Small producers" may use the quota percentage of 100% for any item or items they manufacture, so long as their aggregate production of all items does not exceed 100% of their total 1940 or 1941 production, whichever was higher, as provided in paragraph (d) (4).

Quotas for each item of attachments, unless election is made to lump together all attachments pursuant to paragraph (d) (3), are expressed as the same percentage as that listed for the machine with which the particular attachment is used (except engines).

Any item of farm machinery and equipment not provided for in this Schedule A is not to be manufactured for sale in the United States, unless specifically exempted under the order. Moreover, any manufacture of an item in excess of the percentages established in this Schedule A, even though it may be scheduled for production under paragraph (e), is permitted only if specifically authorized pursuant to paragraph (c) (3) or on appeal.

#### GROUP 1 PLANTING, SEEDING, AND FERTILIZING MACHINERY

##### Division 1: Planters (Horse and Tractor Drawn)

Item No.	Quota Percent
1 One row, one horse, corn.....	81
2 One row, one horse, corn and cotton, peanut and bean.....	64
2a One-horse legume planters for middles (Southern).....	64
3 One row, two horse, corn and cotton.....	76
3a Vetch.....	75
4 Two row, corn.....	77
5 Two row, corn and cotton.....	100
6 Three row and over, corn.....	65
7 Three row and over, corn and cotton.....	100

#### GROUP 1 PLANTING, SEEDING AND FERTILIZING MACHINERY—Continued

##### Division 2: Planters (Tractor Mounted)

Item No.	Quota Percent
8 One row, corn.....	91
9 One row, corn and cotton.....	78
10 Two row, corn.....	91
11 Two row, corn and cotton.....	61
12 Three row and over, corn.....	100
13 Three row and over, corn and cotton.....	100

##### Division 3: Potato Planters (Horse and Tractor Drawn)

14 One row.....	100
14a Two row and larger.....	100

##### Division 4: Transplanters

15 One row, horse or tractor drawn.....	120
15a Two row, horse or tractor drawn.....	120
15b Two row, tractor mounted.....	120
15c Celery, self propelled.....	120
15d Onion, set, horse or tractor drawn.....	120
16 Hand, wheel type.....	112

##### Division 5: Listers with Planting Attachments (Horse or Tractor Drawn)

17 One row.....	0
18 Two row.....	82
19 Three row and over.....	61

##### Division 6: Listers with Planting Attachments (Tractor Mounted)

20 One row.....	78
21 Two row.....	62
22 Three row and over.....	100

##### Division 7: Beet and Bean Drills or Planters

23 Four row, horse or tractor drawn.....	60
23a Six row, horse or tractor drawn.....	60
23b Four row, tractor mounted.....	60
23c Six row, tractor mounted.....	60

##### Division 8: Grain Drills

24 One horse, plain or fertilizer, three to seven disc or run.....	100
25 Fertilizer, 14 run and under, horse or tractor drawn.....	63
25a Fertilizer, over 14 run, horse or tractor drawn.....	63
26 Plain, 14 run and under, horse or tractor drawn.....	73
26a Plain, over 14 run, horse or tractor drawn.....	73
26b Press drill, horse or tractor drawn.....	73
26c Plain drill, lister type, horse or tractor drawn.....	73

##### Division 9: Broadcast Seeders

27 Wheeled, horse or tractor drawn.....	62
28 End-gate.....	68
29 Hand (wheelbarrow and other).....	49

##### Division 10: Garden Planters

20 Hand, wheel type.....	66
31 Horse or tractor drawn, one row or multiple row (one row is a unit).....	73

##### Division 11: Fertilizer Distributors

32 One row, horse drawn.....	76
32a Two row, horse drawn.....	76
32b Two row, tractor mounted.....	76
32c Broadcast, horse or tractor drawn.....	76
32d Hand propelled.....	72

##### Division 12: Lime Spreaders (Sowers)

33 Wheeled hopper type sower, horse or tractor drawn.....	61
34 End-gate type.....	61
34a Trailer type.....	61
35 Truck body type.....	100

##### Division 13: Manure Spreaders and Loaders

36 Four wheel, horse or tractor drawn.....	61
37 Two wheel, tractor drawn.....	61
37a Manure loaders.....	100

##### Division 14: Other Planting, Seeding and Fertilizing Machinery

38 Limestone pulverizers (farm size, under 14").....	49
39 Uni-carrier, chassis or rear toolbar (short and long) for mounting tools, pull type.....	60
39a Tool frame, attached or rear tool bar (short and long) for mounting tools on tractor.....	60
40 Potato cutter.....	100
40a.....	89
40b.....	60
41 Attachments for all items in Group 1 expressed in terms of net shipping weight in pounds.....	(1)

#### GROUP 2 PLOWS AND LISTERS

##### Division 1: Moldboard, Plows (Horse Drawn)

42 Walking, one horse, steel bottom.....	70
43 Walking, one horse, chilled bottom.....	67
44 Walking, two horse and larger.....	62
45 Sulky.....	60
46 Gang, two bottom and larger.....	60

<sup>1</sup> Percentage quota is the same as that listed for the machine with which the attachment is used, unless option is chosen as provided for in paragraph (d) (3) of the order (L-257).

## GROUP 2. PLOWS AND LISTERS—Continued

## Division 2: Moldboard Plows (Tractor Drawn or Mounted)

Item No.	Quota Percent
47 One bottom, tractor drawn.....	35
47a One bottom, two-way (one furrow) tractor drawn.....	35
48 Two bottom, tractor drawn.....	50
48a Two bottom, two-way (two furrow) tractor drawn.....	60
49 Three bottom, tractor drawn.....	34
50 Four bottom, tractor drawn.....	44
51 Five bottom and larger, tractor drawn.....	14
52 One bottom, tractor mounted.....	35
52a One bottom, two-way (one furrow) tractor mounted.....	52
53 Two bottom, tractor mounted.....	52

## Division 3: Disc Plows (Horse Drawn)

54 Single disc, and larger.....	0
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## Division 4: Disc Plows (Tractor Drawn)

55 One disc.....	0
56 Two disc.....	78
57 Three disc.....	71
58 One disc—direct connected (one wheel type).....	73
59 Two disc—direct connected (one wheel type).....	51
59a Three disc—direct connected (one wheel type).....	61
59b Three disc, tool bar type.....	61
60 Four disc, tractor drawn.....	65
61 Five disc, tractor drawn.....	54
62 Six disc and larger, tractor drawn.....	54

## Division 5: One-way Disc Plows or Tillers

63 Under five feet.....	53
63a Five foot and under eight foot.....	53
63b Eight foot and over.....	53

## Division 6: Listers (Horse or Tractor Drawn) (Middlebushers Without Planting Attachments)

64 One row, horse or tractor drawn.....	77
65 Two row, horse or tractor drawn.....	100
66 Three row and larger, horse or tractor drawn.....	0

## Division 7: Listers (Tractor Mounted) (Middlebushers Without Planting Attachments)

67 One row, tractor mounted.....	12
68 Two row, tractor mounted.....	25
69 Three row and larger, tractor mounted.....	48
69a Three row ridgers.....	55

## Division 8: Sub-Soil Plows

70 Horse drawn.....	60
71 Tractor drawn.....	60
72 Tractor mounted.....	60

## Division 9: Plow Stocks

73 Single or double stocks.....	69
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## Division 10: Other Plows and Listers

74 Basin Tiller.....	100
75 Cane row plows.....	100
76.....	60
76a.....	60

## Division 11: Attachments

77 Attachments for all items in Group 2 expressed in terms of net shipping weight in pounds.....	(9)
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## GROUP 3. HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

## Division 1: Harrows

78 Spike tooth harrow sections (steel), horse or tractor drawn.....	69
78a Spike tooth harrow sections (wood), horse or tractor drawn.....	69
79 Spring tooth harrow sections (steel), horse or tractor drawn.....	68
79a Spring tooth harrow sections (wood), horse or tractor drawn.....	68
80 Disc harrows, reversible, row disc, horse or tractor drawn.....	60
80a Disc harrows, single, six foot and under (horse drawn type).....	60
80b Disc harrows, single over six foot (horse drawn type).....	60
80c Disc harrows, tandem attachment for horse drawn type.....	60
80d Disc harrows, single and tandem, six foot and under, tractor drawn.....	60
80e Disc harrows, single and tandem, over six foot and under eleven foot, tractor drawn.....	60
80f Disc harrows, tandem "heavy duty" "cover crop" "wide disc spacing" tractor drawn.....	60
80g Disc harrows, wide disc harrows over ten foot, tractor drawn.....	60
80h Disc harrow, offset—tractor drawn.....	60
80i Disc harrows, brush and bog, tractor drawn.....	60
81 Disc harrows, tractor mounted and tool bar type.....	60
81a Cane disc harrows, tractor mounted and tool bar type.....	100

<sup>1</sup> Percentage quota is the same as that listed for the machine with which the attachment is used, unless option is chosen as provided for in paragraph (d) (3) of the order (L-257).

## GROUP 3. HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS—Continued

## Division 2: Smooth Land Rollers

82 Smooth land rollers, not including lawn rollers.....	61
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## Division 3: Soil Pulverizers and Packers

83 Soil pulverizers and packers, single.....	57
83a Soil pulverizers and packers, double.....	57

## Division 4: Stalk Cutters

84 Stalk cutters, horse drawn.....	63
84a Stalk cutters, tractor drawn.....	63
84b Weed cutters (rotary blade type).....	63
84c Cane stubble shavers.....	63

## Division 5: Ridge Busters

85 Ridge busters, horse or tractor drawn.....	100
85a Ridge busters, tractor mounted.....	100

## Division 6: Others Harrows and Rollers

87 Combination harrow and rollers.....	61
87a Seed-bed row rollers.....	72
88 Field Markers.....	60
89.....	60
89a.....	60

## Division 7: Attachments

90 Attachments for all items in Group 3 expressed in terms of net shipping weights in pounds.....	(9)
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## GROUP 4 CULTIVATORS AND WEEDERS

## Division 1: Cultivators (Horse and Tractor Drawn)

91 One horse (all types), including hillers, disc hoes, shovel plows, little hoes, and similar type harrows and rotary harrows.....	45
92 One row, walking, no horse.....	70
93 One row, riding, two horse, chisel type.....	60
93a One row, riding, two horse, disc type.....	60
93b Two row, riding, horse drawn, shovel or disc type.....	60
94 One row, riding, two horse listed corn type.....	70
94a Two row, horse drawn, listed corn type.....	70
94b Two row, tractor drawn, listed corn type.....	100
94c Three row, tractor drawn, listed corn type.....	100
94d Four row, tractor drawn, listed corn type.....	100
94e Five row, tractor drawn, listed corn type.....	100
95 Beet and bean cultivators, two row, horse drawn.....	50
95a Beet and bean cultivators, four row, horse or tractor drawn.....	50
95b Two row wing and disc hoes and hillers, potato, horse or tractor drawn.....	144
95c Two row wing and disc hoes and hillers, potato, tractor mounted.....	144
96 Field cultivators, spring teeth type, seven foot and under.....	70
96a Field cultivators, spring teeth type, over seven foot.....	70
96b Field cultivators, stiff teeth type, seven foot and under.....	70
96c Field cultivators, stiff teeth type, over seven foot.....	70
96d Chisels and orchard cultivators, tractor drawn.....	45
97 Hand cultivators, wheel type, including hand plows.....	74

## Division 2: Cultivators (Tractor Mounted)

98 One row.....	21
99 Two row, shovel type.....	71
99a Two row, listed corn type.....	71
99b Two row, potato cultivator.....	100
99c Two row, disc type.....	71
100 Three and four row, shovel type.....	110
101 Narrow row, four and six row (beet, bean, and vegetable cultivators).....	64
101a Combination cultivators and planters, two row, corn and cotton.....	69
101b Two row, cane cultivators.....	100
101c Three row, cane cultivators.....	100
101d Field cultivator, mounted and tool bar type.....	70
101e Chisel and orchard cultivators, mounted and tool bar type.....	45
(See also item 95c)	

## Division 3: Rotary Hoes

102 Rotary hoes, horse or tractor drawn.....	65
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## Division 4: Weeders

103 Rod weeders, horse or tractor drawn.....	60
103a Rod weeders, tractor mounted and tool bar.....	60
104 Tooth weeders, one horse, walking.....	150
104a Tooth weeders, two horse, riding.....	150
104b Tooth weeders, tractor drawn.....	150
104c Tooth weeders, tractor mounted.....	150

## GROUP 4—CULTIVATORS AND WEEDERS—Continued

## Division 5: Other Cultivators and Weeders

105 Beet thinners.....	120
105a Vegetable weeder and thinner.....	122
105b Cyclone weeder.....	65
105c.....	65
105d.....	65

## Division 6: Attachments

107 Attachments for all items in Group 4 expressed in terms of net shipping weight in pounds.....	(9)
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## GROUP 5. SPRAYERS, DUSTERS, AND ORCHARD HEATERS

## Division 1: Power Sprayers

108 Market garden type, under six g. p. m.....	63
108a Orchard type, six to ten g. p. m. auxiliary engine.....	63
108b Orchard type, six to ten g. p. m. power take-off.....	63
108c Orchard type, eleven to twenty g. p. m. auxiliary engine.....	63
108d Orchard type, eleven to twenty g. p. m. power take-off.....	63
108e Orchard type, over twenty g. p. m. auxiliary engine.....	63
108f Orchard type, over twenty g. p. m. power take-off.....	63
108g Field or row crop type, six to ten g. p. m. auxiliary engine.....	63
108h Field or row crop type, six to ten g. p. m. power take-off.....	63
108i Field or row crop type, eleven to twenty g. p. m. auxiliary engine.....	63
108j Field or row crop type, eleven to twenty g. p. m. power take-off.....	63
108k Field or row crop type, over twenty g. p. m. auxiliary engine.....	63
108l Field or row crop type, over twenty g. p. m. power take-off.....	63
108m Field or row crop type, tractor mounted.....	100
108n Propeller blast type.....	100
109 Traction sprayers under six g. p. m.....	100
109a Traction sprayers six g. p. m. and over.....	100

## Division 2: Hand Sprayers with Tank, Barrel, Knapsack, etc., with Complete Equipment (Capacity 1 qt. or over but less than 6 gallons)

110 Compressed air.....	70
111 Knapsack, self-contained.....	63
112 Trombone pump type.....	61
113 Bucket, pump type, single cylinder.....	70
114 Bucket, pump type, double cylinder.....	70
115 Atomizing, single action (1 qt. and larger capacity).....	62
116 Atomizing, continuous (1 qt. and larger capacity).....	64

## Division 3: Hand Pump Sprayers (Capacity 6 gallons or more)

117 Barrel pump sprayer.....	87
118 Wheelbarrow sprayer.....	75

## Division 4: Spray Pumps, Power

119 Spray pumps, power.....	104
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## Division 5: Weed and Pear Burners

120 Weed and pear burners.....	60
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## Division 6: Dusters

121 Power duster, auxiliary engine.....	123
121a Power duster, power take-off.....	123
122 Traction dusters.....	70
123 Hand dusters, rotary type.....	74
123a Hand dusters, plunger type.....	74

## Division 7: Orchard Heaters

124 Orchard heaters.....	75
124a Wind frost protection machines.....	75

## Division 8: Attachments

125 Attachments for all items in Group 5 expressed in terms of net shipping weight in pounds.....	(9)
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## GROUP 6: HARVESTING MACHINERY

## Division 1: Combines (Harvester-Threshers)

126 Width of cut, 6 ft. and under, auxiliary engine.....	57
126a Width of cut, 6 ft. and under, power take-off.....	57
127 Width of cut, over 6 ft. including 10 ft.....	60
128 Width of cut, over 10 feet.....	67
129 Windrowers or swathers.....	73

GROUP 6 HARVESTING MACHINERY—  
Continued

Division 2: Grain and Rice Binders		
Item No.		Quota Percent
129	Grain binders (ground drive).....	42
130	Grain binders (power take-off drive).....	54
131	Rice binders.....	58

## Division 3: Corn Binders

132	Corn binders, ground drive.....	70
132a	Corn binders, power take-off.....	75
132b	Corn harvester, sled and wheel type.....	75

## Division 4: Corn Pickers

133	One row, mounted type.....	110
134	Two row, mounted type.....	76
135	One row, pull type.....	78
136	Two row, pull type.....	108

## Division 5: Field Ensilage Harvesters—Row Type

137	Field Ensilage Harvesters (row type).....	160
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## Division 6: Potato Diggers and Pickers

138	Walking plow type.....	114
139	One row, ground drive.....	135
139a	One row, power take off.....	125
139b	Two row, power take off.....	125
139c	Potato pickers.....	135

## Division 7: Bean Cutters or Pullers

140	Two row, horse or tractor drawn.....	85
140a	Four row, horse or tractor drawn.....	85

## Division 8: Sugar Beet and Cane Harvesting Equipment

141	Beet lifters, horse or tractor drawn.....	27
141a	Beet lifters, tractor mounted.....	27
141b	Beet harvesters.....	150
141c	Beet loaders.....	150
141d	Cane harvesters.....	85
141e	Cane loaders.....	150

## Division 9: Other Harvesting Equipment

142	Cotton harvesters, stripper type.....	150
142a	Cotton pickers.....	150
143	Vegetable pullers and pickers.....	150
143a	Green pea harvesters.....	150
143b	Spinach harvesters.....	150
144	One row soybean harvesters.....	150
144a	Grass seed harvesters or strippers.....	80
144b	Flax pullers.....	100
144c	Hop pickers.....	67
144d	Peanut diggers.....	150
144e	.....	90
144f	.....	90

## Division 10: Attachments

145	Attachments for all items in Group 6 expressed in terms of net shipping weight in pounds.....	(1)
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## GROUP 7 HAYING MACHINERY

## Division 1: Mowers

146	Horse or tractor drawn (ground drive).....	49
147	Tractor mounted or semi-mounted (power take-off drive).....	69

## Division 2: Rakes

148	Sulky (dump).....	47
149	Slide delivery (incl. comb. slide rakes and tedders).....	84
150	Sweep (horse).....	90
150a	Sweep (tractor mounted).....	90

## Division 3: Hay Loaders

151	Hay loaders.....	67
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## Division 4: Stackers

152	Stationary.....	90
152a	Combination stacker-loaders.....	146

## Division 5: Pick-up Hay Balers and Bale Loaders

153	Pick-up hay balers—power take-off.....	78
153a	Pick-up hay balers—auxiliary engine.....	78
153b	Field bale loader.....	150

## Division 6: Other Haying Machinery

154	Field hay choppers and harvesters.....	150
155	.....	90
156	.....	90

<sup>1</sup>Percentage quota is the same as that used for the machine with which the attachment is used, unless option is chosen as provided for in Paragraph (d) (3) of the Order (L-257).

## GROUP 7 HAYING MACHINERY—Continued

## Division 7: Attachments

Item No.		Quota Percent
157	Attachments for all items in Group 7 expressed in terms of net shipping weight in pounds.....	

## GROUP 8 MACHINES FOR PREPARING CROPS FOR MARKET OR USE

## Division 1: Stationary Threshers—Grain, Rice and Alfalfa

158	threshers, width of cylinder under 28 inches.....	65
159	threshers, width of cylinder 28 inches and over.....	47

## Division 2: Stationary Pea and Bean Threshers

160	Stationary pea and bean threshers.....	132
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## Division 3: Peanut Pickers

161	Peanut pickers.....	61
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## Division 4: Ensilage Cutters—Silo Fillers

162	Ensilage cutters (Silo Fillers).....	69
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## Division 5: Feed Cutters—Hand and Power

163	Feed cutters, hand and power.....	80
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## Division 6: Corn Shellers

164	Corn shellers (hand).....	43
165	Spring (2, 4, 6 and 8 hole).....	0
166	Cylinder (150 bu. and under).....	53
167	Cylinder (over 150 bushels).....	45

## Division 7: Corn Huskers and Shredders

168	Combination corn huskers-shredders.....	74
169	Corn huskers.....	41
170	Corn shredders.....	0

## Division 8: Stationary Hay and Straw Balers

171	Horse.....	76
172	Auxiliary engine.....	36
172a	Belt driven.....	36
172b	Power take-off.....	36
172c	Broom corn balers.....	79

## Division 9: Feed Grinders and Crushers

173	Hand.....	52
174	Power, burr type.....	58
175	Hammer type.....	58
175a	Roughage mills, combination type with cutter head and grinders.....	58
175b	Feed mixers (not concrete mixers).....	58

## Division 10: Grain Cleaners and Graders

176	Cleaners and graders—farm type (small grain and seed).....	63
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## Division 11: Sorters and Graders

177	Potato sorters and graders.....	111
177a	Vegetable graders, washers, sackers and conveyors.....	90
177b	Vegetable topers.....	90
177c	Fruit graders, washers, crushers, conveyors.....	90
177d	Nut hullers graders, sackers, conveyors.....	90

## Division 12: Maple Syrup Evaporators

178	Complete sets of pans, not including furnaces.....	69
179	Furnaces.....	58

## Division 13: Cane Syrup Evaporators

180	Complete sets of pans, not including furnaces.....	95
181	Furnaces.....	77

## Division 14: Cane Mills—Farm Size

182	Cane mills (farm size).....	63
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## Division 15: Cider Mills and Fruit Presses

183	Cider mills and fruit presses.....	32
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## Division 16: Other Machines for Preparing Crops for Market or Use

184	Tobacco Curers.....	40
185	Broom corn de-seeders.....	80
186	.....	80
186a	.....	80

## GROUP 8. MACHINES FOR PREPARING CROPS FOR MARKET OR USE—Con.

## Division 17: Attachments

Item No.		Quota Percent
187	Attachments for all items in Group 8 expressed in terms of net shipping weight in pounds.....	(1)

## GROUP 9 FARM ELEVATORS AND BLOWERS

## Division 1: Elevators—Portable

188	Elevators, Portable.....	109
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## Division 2: Elevators—Stationary

189	Elevators, stationary.....	30
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## Division 3: Blowers—Grain and Forage

190	Blowers (grain).....	118
190a	Blowers (forage).....	150

## Division 4: Attachments

191	Attachments for all items in Group 9 expressed in terms of net shipping weight in pounds.....	(1)
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## GROUP 10. TRACTORS

## Division 1: Tractors, Wheel Type, by Rated Belt H. P.

192	Special purpose, under 30 H. P.....	82
193	Special purpose, 30 and over.....	41
194	All purpose under 30 H. P.....	41
195	All purpose 30 and over.....	63

## Division 2: Garden Tractors

196	Garden tractors (incl. motor tillers).....	65
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## Division 3: Attachments

197	Attachments for all items in Group 10 expressed in net shipping weight in pounds.....	(1)
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## GROUP 11. ENGINES (CANCELLED—SCHEDULED BY AUTOMOTIVE DIVISION)

## Division 1: Engines Under 1 H. P.

198	Air Cooled.....	(1)
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## Division 2: Engines, 1 or More but Under 5 H. P.

199	Air Cooled.....	(1)
200	Water Cooled.....	(1)

## Division 3: Engines, 5 or More but Under 10 H. P.

201	Air Cooled.....	(1)
202	Water Cooled.....	(1)

## Division 4: Engines, 10 or More but Under 20 H. P.

203	Water cooled.....	(1)
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## Division 5: Attachments

204	Attachments for all items in Group 11 expressed in terms of net shipping weight in pounds.....	75
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## GROUP 12: FARM WAGONS, GEARS AND TRUCKS (NOT MOTOR)

## Division 1: Wagons and Trucks

205	Wagon gears (less box).....	55
206	Truck gears (less box).....	55
206a	One horse wagon (less box).....	55

## Division 2: Wagon Bodies

207	Wagon and truck boxes, farm.....	77
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## Division 3: Farm Sleighs

208	Sleighs and Bob-Sleds, farm.....	170
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## Division 4: Trailers—Farm

209	Trailers, farm.....	0
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## Division 5: Other Transporting Equipment Not Motor Trucks

210	Tobacco trucks.....	55
210a	Buggies and spring wagons, farm.....	55
211	Cane wagons and carts.....	47
211a	.....	50
211b	.....	50

## Division 6: Attachments

212	Attachments for all items in Group 12 expressed in terms of net shipping weight in pounds.....	(1)
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<sup>1</sup> Quota percentage not necessary.

## GROUP 13 DOMESTIC WATER SYSTEMS

## Division 1: Deep and Shallow Well Systems

Item No.		Quota Percent
213	Deep well, reciprocal.....	55
214	Deep or shallow well, jet type.....	70
215	Shallow well, 250-499 gals. per hour.....	69
216	Shallow well, 500 gals. per hour and over.....	60

## Division 2: Power Pumps

217	Horizontal type, up to and incl. 75 gal. p. m. 100 lbs. pressure.....	65
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## Division 3: Water Well Casing

218	Water well casing (fabricated by other than pipe mills).....	100
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## Division 4: Attachments

219	Attachments for all items in Group 13 expressed in terms of net shipping weight in pounds.....	(9)
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## GROUP 14. FARM PUMPS AND WINDMILLS

## Division 1: Pumps, Water

220	Pitcher pumps.....	60
221	Hand and windmill pumps.....	64

## Division 2: Windmills

222	Windmill heads.....	95
223	Windmill towers.....	69

## Division 3: Pump Jacks

224	Pump jacks.....	67
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## Division 4: Attachments

226	Attachments for all items in Group 14 expressed in terms of net shipping weight in pounds.....	(9)
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## GROUP 15. IRRIGATION AND DRAINAGE EQUIPMENT

## Division 1: Irrigation and Drainage Pumps

227	Turbine Pumps, 0 to 1,200 G. P. M.....	64
228	Turbine Pumps, 1,200 G. P. M. and up.....	135
229	Centrifugal pumps.....	64
230	Hydraulic rams.....	100

## Division 2: Distribution Equipment

231	Land levelers.....	45
231a	Blade ditchers and terracers.....	45
231b	One disc terracers.....	45
231c	Corrugators.....	45
231d	Scrapers.....	45

(Items 231 to 231d are exclusive of power ditchers, draglines, and other self-powered machines.)

232	Portable pipe and extensions, sprinklers (excluding lawn sprinklers), valves and gates, expressed in terms of net shipping weight in pounds.....	70
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## Division 3: Other Farm Irrigation Equipment (List each item separately)

233	.....	40
234	.....	40
235	.....	40

## Division 4: Attachments

236	Attachments for all items in Group 15, expressed in terms of net shipping weight in pounds.....	(9)
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## GROUP 16. DAIRY FARM MACHINES AND EQUIPMENT

## Division 1: Milking Machines

237	Milking machines..... (Complete Outfits).....	60
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## Division 2: Farm Cream Separators

238	Capacity 250 lbs. per hour or less.....	35
239	Capacity 251 lbs. to 500 lbs. per hour.....	37
240	Capacity 501 lbs. to 1500 lbs. per hour.....	37

Percentage quota is the same as that listed for the machine with whom the attachment is used, unless option is chosen as provided for in paragraph (d) (3) of the order (L-257).

No. 114—3

## GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT—Continued

## Division 3: Farm Milk Coolers

241	Immersion type.....	84
242	Surface or Tubular type.....	84

## Division 4: Farm Butter Making Equipment

243	Butter churns.....	70
244	Butter molds.....	60

## Division 5: Other Dairy Farm Equipment

245	Milk pails.....	65
246	Milk strainers.....	60
247	Stirrer.....	60
248	Cream separator cans.....	60
248a	Sterilizing tanks.....	70
248b	Dairy washing tanks.....	60
248c	Dairy water heaters (excluding roller-type heaters).....	60
248d	Can racks.....	60
(List additional items separately)		
248e	.....	60
248f	.....	60
248g	.....	60

## Division 6: Attachments

249	Attachments for all items in Group 16, expressed in terms of net shipping weight in pounds.....	(9)
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## GROUP 17 BARN AND BARNYARD EQUIPMENT

## Division 1: Feed Carriers, Litter Carriers, and Feed Trucks

250	Feed carriers.....	60
251	Litter carriers.....	82
252	Trucks for feed and litter carriers.....	75
253	Feed trucks (iron and steel).....	67

## Division 2: Hay Unloading Equipment

254	Hay carriers.....	60
255	Trucks for hay carriers.....	75
256	Hay forks, harpoon and grapple.....	60

## Division 3: Cattle Stalls, Pen Equipment and Stanchions

258	Cattle stalls and fittings.....	40
259	Livestock pens.....	49
260	Cattle stanchions and fittings.....	49

## Division 4: Livestock Drinking Cups and Watering Bowls

261	Livestock drinking cups.....	62
262	Outside livestock watering bowls.....	69

## Division 5: Barnyard Stock Tanks

263	Barnyard stock tanks.....	65
264	Hog troughs (iron and steel).....	60
265	Livestock dipping tanks.....	60

## Division 6: Feeders, Feed Cookers, &amp; Tank Heaters

266a	Livestock feeders (iron and steel).....	69
266	Feed cookers.....	77
267	Tank heaters.....	69

## Division 7: Barn Door Track &amp; Hangers

## Division 8: Other Barn &amp; Barnyard Equipment

270	Hog waterers.....	105
270a	Hog oilers.....	65
271	Hog rings.....	110
271a	Hog ringers.....	85
272a	Cattle chocking equipment.....	60
272i	Anti-cow-kickers.....	45
272h	Hay bolsters.....	60
272i	Bull stalls.....	100
272j	Bull rings.....	100

(List additional items separately)

272k	.....	60
272l	.....	60

## Division 9: Attachments

273	Attachments for all items in Group 17, expressed in terms of net shipping weight in pounds.....	(9)
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## GROUP 18: FARM POULTRY EQUIPMENT

## Division 1: Incubators

274	Incubators, 1,000-egg capacity & smaller.....	51
275	Incubators, over 1,000-egg capacity.....	75

## Division 2: Floor Brooders

276	Oil (over 100 chick capacity).....	100
277	Coal (over 100 chick capacity).....	100
278	Gas (over 100 chick capacity).....	100
279	Wood (over 100 chick capacity).....	100
280	Electric (over 100 chick capacity).....	100
280a	All types 100 chick capacity and smaller.....	100

## Division 3: Battery Brooders (Heated)

281	Three deck and smaller (heated).....	60
282	Four deck (heated).....	70
283	Five deck (heated).....	85

## GROUP 18: FARM POULTRY EQUIPMENT—Continued

## Division 4: Growing and Laying Batteries

Item No.		Quota Percent
284	Growing.....	52
285	Laying.....	0

## Division 5: Poultry Feeders

286	Poultry feeders (iron and steel).....	70
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## Division 6: Poultry Waterers and Water Heaters

287	Poultry waterers (iron and steel).....	70
287a	Automatic float valves.....	60
287b	Fountain heaters.....	75

## Division 7: Laying Nests and Grit Boxes

288	Laying nests (iron and steel).....	40
289	Egg baskets.....	100
289a	Grit boxes (iron and steel).....	40

## Division 8: Other Farm Poultry Equipment

290	Leg bands.....	110
290a	Wing bands.....	110
291	Egg graders.....	100
292	Egg candlers.....	100
293	Poultry punches.....	60
293a	Roof saddles.....	100
293b	Drift equalizers.....	100
293c	Chimney caps.....	100
293d	Killing cranes.....	60
293e	Fowl catchers.....	60

(List additional items separately)

294	.....	50
295	.....	60
296	.....	60

## Division 9: Attachments

297	Attachments for all items in Group 18, expressed in terms of net shipping weight in pounds.....	(9)
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## GROUP 19 MISCELLANEOUS FARM EQUIPMENT

## Division 1: Beekeepers' Supplies

298	Beekeepers' supplies (except bee hives).....	100
299	Bee hives (not limited) (1).....	

## Division 2: Silos

299	Silos (total weight of iron and steel).....	60
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## Division 3: Horse Shoes—Including Mule and Oxen Shoes

297	Horse shoes (incl. mule and oxen shoes).....	107
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## Division 4: Harness Hardware

293	Harness hardware.....	100
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## Division 5: Power Sheep Shearing Machines

299	Power sheep shearing machines.....	100
299a	Power cattle and horse clippers.....	60

## Division 6: Electric Fence Controllers

300	Electric fence controllers.....	100
301	Electric fence accessories.....	120

## Division 8: Farm Wood-Saving Machines

300	Farm wood-saving machines including self-powered cross-cut and drag 5 H. P. and less.....	50
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## Division 9: Farm Gates

310	Farm gates.....	25
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## Division 10: Farm Electric Plants (wind-driven)

311	Farm electric plants (wind-driven electric generating plants only—does not include batteries or towers).....	55
311a	Towers for wind-driven electric generating plants.....	55
(Engine driven farm lighting plants and batteries transferred to Automotive Division.)		

## Division 11: Attachments

312	Attachments for all items in Group 19, expressed in terms of net shipping weight in pounds.....	(9)
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[F. R. Dec. 44-8134; Filed, June 6, 1944; 11:37 a. m.]

## PART 1029—FARM MACHINERY

[Limitation Order L-257-a as Amended  
June 6, 1944]

## EXPORTS

§ 1029.16 *Limitation Order L-257-a—*

(a) *What this order does.* This order describes the rules governing the manufacture for export of machinery and equipment (both farm and non-farm) and repair parts, and supplements Limitation Order L-257 covering domestic production. All general provisions of the domestic order, such as definitions and rules for production schedules, will apply to producers for export under this order, unless this order indicates otherwise. It is expected that this order L-257-a will be the basic export order from year to year, but that "applicable export schedules" of quotas will be issued for each "current quota period" just as explained in Order L-257 for domestic quotas. It may be assumed that the applicable export schedules in effect at any particular time will continue into the next "current quota period" until such time as new schedules are issued.

(b) *Additional definitions.* The definitions of Order L-257, unless otherwise indicated in this order, shall apply for the purpose of this order, and also the following:

(1) "Base shipment" means one-half the net shipping weight of the total quantity (as reported on Form PD-388) of farm machinery and equipment and repair parts in the aggregate exported by a producer during the calendar years 1940 and 1941 combined to any country or group of countries (except Canada) listed on an applicable export schedule.

(2) "Lend-Lease order" means any order for machinery and equipment (both farm and non-farm) or repair parts placed by any agency of the United States Government in response to a requisition filed pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act)

(3) "Applicable export schedule" means any schedule which relates to a current quota period and fixes manufacturing quotas for the foreign country or countries listed for that period.

(c) *Restrictions on production for export—*(1) *General export quotas (except Canada)* During any current quota period, no producer shall manufacture for shipment, or ship, to foreign countries more machinery and equipment (both farm and non-farm) and repair parts than his quota for the particular country or countries, as indicated on the applicable export schedule. Where countries are listed on an applicable export schedule as a group with only one quota percentage, the producer's quota for all countries in the group as a whole is the listed percentage of his base shipments to those countries. Where countries are listed individually with separate quota percentages, the producer's quota for each country is the applicable percentage of his base shipment to that country. Where the quota percentage is 0% for any country or group of countries listed, or where a particular foreign country is not listed at all, shipments can be made only by getting a special quota under

paragraph (c) (4). These special quotas will be given only as the need arises.

Each export quota for a country or group of countries (except Canada) is an over-all tonnage, which the producer can divide up among farm machinery and equipment, non-farm machinery and equipment, and repair parts, as he chooses.

Exceptions to these general rules are stated in paragraph (d)

(2) *Canadian quotas.* During any current quota period, no producer shall manufacture for shipment to Canada more of any item of farm machinery and equipment (in units) or attachments and repair parts (by weight) than his quota as indicated on the applicable export schedule. For each item of farm machinery and equipment (excluding attachments) the producer's quota is half the number of that item (in units) shipped by him to Canada during the calendar years 1940 and 1941, multiplied by the percentage shown for the item on the schedule. (Quotas for Canada do not include non-farm machinery and equipment.)

For each item of attachments, the quota is half the net shipping weight of that item shipped by the producer to Canada during the calendar years 1940 and 1941, multiplied by the percentage shown for the item on the schedule. However, the producer may choose to lump all attachments as explained in paragraph (d) (3)

For repair parts, the quota is half his total 1940 and 1941 shipments by weight of all repair parts to Canada, multiplied by the indicated percentage.

Exceptions to these general rules are stated in paragraph (d)

(3) *Special restrictions.* No producer shall manufacture for shipment, or ship, to any foreign country (including Canada)

(i) Any item of farm machinery and equipment requiring rubber tires except the following items:

Wheel type tractors including garden type.

Combines.

Pick-up hay balers and field hay harvesters.

Corn pickers.

Power sprayers over ten gallons per minute.

Any item requiring tires to be mounted on wheel rims of the following sizes (diameter) 15" 16" 18" 20" and 21"

(ii) Any item of farm machinery and equipment or repair parts except to the extent listed on an approved production schedule under paragraph (e)

(4) *Adjustments in quotas.* The War Production Board may, by specific written directions or authorizations issued to any producer or other person affected by this order, increase or decrease any export quota or authorized use of materials; and may transfer any portions of quotas between producers, taking into account the amount and weight of materials to be used, the need for particular items at the time required in particular countries, the labor and transportation situation in the manufacturing areas involved, and such other factors as may be proper.

(d) *Exceptions—*(1) *Production before or after current quota periods—*(i)

*Advance planning of production.* Before the beginning of any current quota period, producers may plan their advance production for export as explained for domestic production in subparagraph (d) (5) (i) of Order L-257.

(ii) *Carry-over of uncompleted portions of quotas.* Any portions of export quotas under an applicable export schedule (including all amendments, appeals and specific authorizations) which are not completely manufactured by the end of the current quota period, may be carried over and added to the corresponding quotas of the next current quota period, but only to the extent that the particular items are covered by an export license issued by the Office of Economic Warfare or by a Lend-lease order, dated before July 1 of this next period. However, items for Canada may be carried over to the extent that they can be completed by July 31 of this next period.

(iii) *Uncompleted L-170 quotas.* Uncompleted export quotas under Order L-170 (except Canada) may be carried over as explained in subparagraph (d) (1) (ii) above to the extent that they are covered by an export license or Lend-Lease order dated before October 1, 1943. Uncompleted L-170 quotas for Canada may be completed up to June 30, 1944.

(2) *Bracketed items for Canada.* Wherever, in an applicable export schedule for Canada, two or more items are bracketed together, the producer may distribute his total quota (in units) for that bracket among all the items in that bracket, as set forth for domestic items in paragraph (d) (2) of Order L-257.

(3) *Attachments for Canada.* Any producer may choose not to follow the individual quota percentages for attachment items for Canada as indicated on the applicable export schedule, and instead manufacture up to 75% of half his total 1940 and 1941 shipments of all attachments (by weight) to Canada, under the terms set forth for domestic attachments in paragraph (d) (3) of Order L-257.

(e) *Production schedules.* Each producer who is not a "small producer" must have available for shipment export the quantities of items of machinery and equipment (both farm and non-farm) and repair parts as indicated on his production schedules which have been filed and approved in accordance with paragraph (e) of Order L-257. All provisions of that paragraph apply to production schedules for export, unless otherwise indicated. However, any item manufactured for export, whether for an O. E. W. country or Lend-Lease country (excluding Canada) may be shipped to any foreign country (except Canada) regardless of the schedule filed on Form WPB-3053 or WPB-3181, *Provided*, That the total shipments to any country or group of countries during the current quota period must not be more than the quota for that country or group of countries established under this order. Shifts of this nature do not have to be reported on Form WPB-3181.

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to



the particular provision appealed from and stating fully the grounds of the appeal.

(g) *Communications.* All communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Farm Machinery and Equipment Division, Washington 25, D. C., Ref. L-257-a.

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

APPLICABLE EXPORT SCHEDULES OF ORDER  
L-257-A FOR CURRENT QUOTA PERIOD JULY 1,  
1943 TO JUNE 30, 1944

Quotas for countries listed on Schedules X-1, X-3, X-4, X-5, X-6, X-7 below are expressed as a percentage of one-half the total net shipping weight of the 1940 and 1941 shipments of farm machinery and equipment and repair part to all the countries in the particular group.

Quotas for countries listed on Schedule X-8 below are expressed as a percentage of one-half the total net shipping weight of the 1940 and 1941 shipments to each such country.

NOTE: Quota percentages are not established for countries listed in Schedules X-2 and X-9 below. Quotas for these countries, and for special projects in any country, will be allocated specifically from time to time under paragraph (c) (4).

O. E. W. COUNTRIES

Schedule X-1—Quota Percentage 45%

Argentina	Guatemala
Bolivia	Haiti
Brazil	Honduras
Chile	Mexico
Colombia	Nicaragua
Costa Rica	Panama
Cuba	Paraguay
Dominican Republic	Peru
Ecuador	Uruguay
El Salvador	Venezuela

Schedule X-2—Other O. E. W. Countries  
Quota Percentage—0%

Azores	Mozambique
Belgian Congo	Newfoundland and Labrador
British Oceania	Portugal
Canary Islands	Portuguese Guinea and Angola
Cape Verde Islands	Rio de Oro and Spanish Guinea
Curacao (N. W. Indies)	Spain
Eire	Spanish Morocco
French Guiana	Surinam (Dutch Guiana)
French Oceania	Sweden
French West Indies	Switzerland
Greenland	Tangier
Liberia	
Madagascar	
Miquelon and St. Pierre	

LEND-LEASE COUNTRIES

Schedule X-3—Quota Percentage 87%

United Kingdom:  
Great Britain  
North Ireland  
Scotland  
Wales

Schedule X-4—Quota Percentage 530%

French North Africa:  
Algeria  
French Morocco  
Tunisia

LEND-LEASE COUNTRIES—continued

Schedule X-5—Quota Percentage 479%

Other French Africa:  
French Equatorial Africa  
French Somaliland  
Cameroons (French)

Schedule X-6—Quota Percentage 151%

British West Indies:  
Bahamas  
Barbados  
Bermuda  
Jamaica  
Leeward Islands  
Trinidad and Tobago  
Windward Islands

Schedule X-7—Quota Percentage 37%

British West Africa:  
Cameroons (British)  
Gambia  
Gold Coast  
Nigeria  
Sierra Leone

Schedule X-8

Countries:	Quota percentages
Australia	339%
British East Africa	167%
British Honduras	70%
British Guiana	200%
Egypt and Sudan	360%
Iceland	92%
India	55%
Iran	53%
Iraq (Mesopotamia)	469%
New Zealand	232%
Palestine	415%
North & South Rhodesia	132%
Turkey	43%
Union of South Africa	121%

Schedule X-9—Other Areas Quota Percentage—0%

Aden  
Arabia Peninsula States  
Belgium  
British Somaliland  
Ceylon  
China (Free)  
Cyprus  
Italian Somaliland  
Ethiopia  
Falkland Islands  
French West Africa  
France  
Greece  
Denmark  
Gibraltar  
Italy  
Malta and Gozo  
Mauritius and Dependencies  
Netherlands  
Norway  
Poland  
State of Bahrain  
St. Helena and Dependencies  
Syria  
U. S. S. R.  
Yugoslavia

CANADA

Schedule X-10

Quotas for the following items of farm machinery and equipment (excluding attachments) are expressed as a percentage of one-half the number of units of each item shipped to Canada during the combined calendar years 1940 and 1941; where applicable, the item numbers correspond to those in Schedule A of Order L-257. Bracketed items may be handled as indicated in paragraph (d) (2).

The quota base for each item of attachments, and for repair parts, is one-half the

net shipping weight of the 1940 and 1941 shipments thereof. Note option to lump all attachments as provided in paragraph (d) (3). Items not listed are not to be manufactured for shipment to Canada.

GROUP 1: PLANTING, SEEDING AND FERTILIZING MACHINERY

Division 1: Planters (Horse and Tractor Drawn)

Item		Quota percentage
4	Two row corn planters	81
6	Three row and over corn planters	81

Division 2: Planters (Tractor Mounted)

10	Two row corn planters	81
12	Three row and over corn planters	81

Division 3: Potato Planters (Horse or Tractor Drawn)

14	One row	152
14a	Two row and larger	125

Division 4: Transplanters

(*)	Horse or tractor drawn	77
16	Hand, wheel type	77

Division 7: Beet Drills

(*)	Horse or tractor drawn	69
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Division 8: Grain Drills

(*)	Fertilizer drills, horse or tractor drawn	75
(*)	Plain drills, horse or tractor drawn	75
(*)	Press drills, horse or tractor drawn	32

Division 10: Garden Planters

30	Hand planters wheel type	100
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Division 12: Limb Spreaders (Sowers)

33	Wheeled type, horse or tractor drawn	70
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Division 13: Manure Spreaders

36	Four wheeled, horse or tractor drawn	133
37	Two wheeled tractor drawn	133

GROUP 2: PLOWS AND LISTERS

Division 1: Moldboard Plows (Horse Drawn)

42	Walking, one horse, steel bottom	0
43	Walking, one horse, chilled bottom	0
44	Walking, two horses, or larger	51
46	Gang, two bottom and larger	25

Division 2: Moldboard Plows (Tractor Drawn or Mounted)

47	One bottom, tractor drawn	57
48	Two bottom, tractor drawn	57
49	Three bottom, tractor drawn	57
50	Four bottom, tractor drawn	57
51	Five bottom, and larger, tractor drawn	57
52	One bottom, tractor mounted	51
53	Two bottom, tractor mounted	51

Division 5: One Way Disc Plows or Tillers

63	Under five feet	72
63a	Five feet and under eight feet	72
63b	Eight feet and over	72

Division 11: Seeding Boxes

(*)	Seeding boxes for one way plows or tillers	92
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\* No applicable item number on Schedule A of Order L-257.

## GROUP 3: HARROWS, ROLLERS, PULVERIZERS AND STALK CUTTERS

## Division 1. Harrows

Item	Quota Percentage	Item	Quota Percentage
78 Spike tooth harrow sections, horse or tractor drawn (steel).....	63	126 Width of cut, 6 feet and under.....	110
79 Spring tooth harrow sections, horse or tractor drawn (steel).....	65	127 Width of cut, over 6 feet including 10 feet.....	110
(1) Disc harrows, horse or tractor drawn:		128 Width of cut, over 10 feet.....	110
(1) wide tractor disc harrow.....	42	(1) Pickup for combines.....	200
(2) tandem tractor disc harrow.....	56	128a Swather.....	244
(3) horse disc harrow.....	51		

## Division 3: Soil Pulverizers and Packers

(1) Trailer packers for one way disc, drill and plow.....	41		
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## GROUP 4: CULTIVATORS AND WEEDERS

## Division 1. Cultivators (Horse and tractor drawn)

91 One horse, all types.....	58		
93 Corn cultivators, one row.....	96		
95 Beet cultivators.....	76		
(1) Field cultivators.....	66		
97 Hand cultivators and weedeers.....	100		

## Division 2: Cultivators (Tractor Mounted)

98 One row.....	83		
99 Two row, shovel type.....	83		
100 Three or four row, shovel type.....	83		
101 Five row and over.....	83		

## Division 4: Weeders

103 Rod weeders, horse or tractor drawn.....	25		
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## Division 5: Other Cultivators and Weeders

(1) Tobacco cultivators.....	50		
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## GROUP 5: SPRAYERS, DUSTERS, AND ORCHARD HEATERS

## Division 1. Power Sprayers and Traction Sprayers

(1) Power sprayers.....	116		
(1) Traction sprayers.....	95		

## Division 2: Hand Sprayers (Capacity one quart &amp; over)

110 Compressed air.....	84		
111 Knapsack self-contained.....			
112 Trombone pump type.....			
113 Bucket pump type, single cylinder.....			
114 Bucket pump type, double cylinder.....			
115 Atomizing single action (1 qt. and larger).....			
116 Atomizing continuous (1 qt. and larger).....			

## Division 3: Sprayers with Tank, Barrel, Knapsack, etc., (6 gals. or more)

117 Barrel pump sprayer.....	84		
118 Wheelbarrow type.....			

## Division 4: Spray Pump (Power)

119 Spray pumps, power.....	100		
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## Division 6: Dusters

121 Power dusters, auxiliary engine.....	162		
121a Power dusters, power take-off.....	162		
122 Traction dusters.....	162		
123 Hand dusters, rotary type.....	84		

<sup>1</sup> No applicable item number on Schedule A of Order L-257.

## GROUP 6: HARVESTING MACHINERY

## Division 1. Combines (Harvesting thrashers)

Item	Quota Percentage	Item	Quota Percentage
126 Width of cut, 6 feet and under.....	110	127 Width of cut, over 6 feet including 10 feet.....	110
128 Width of cut, over 10 feet.....	110	(1) Pickup for combines.....	200
128a Swather.....	244		

## Division 2: Grain and Rice Binders

129 Grain binder (ground drive).....	61		
130 Grain binder (power take-off drive).....	64		

## Division 3: Corn Binders

132 Corn binders (row binder) horse or tractor drawn.....	75		
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## Division 4: Corn Pickers

133 One row, mounted type.....	128		
134 Two row, mounted type.....	128		
135 One row, pull type.....	128		
136 Two row, pull type.....	128		

## Division 5: Field Ensilage Harvester (Row type)

137 Field ensilage harvester (40 units to be allotted).....	0		
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## Division 6: Potato Diggers

(1) Horse or tractor.....	158		
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## Division 8: Beet Lifters

141 Horse or tractor.....	97		
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## GROUP 7: HAYING MACHINERY

## Division 1. Mowers

146 Horse or tractor drawn (ground drive).....	77		
147 Tractor mounted or semi-mounted (Power take-off drive).....	77		
(1) Knife or sickle grinder.....	71		

## Division 2: Rakes

148 Sulky, dump.....	93		
149 Side delivery.....	129		
150 Sweep, horse.....	75		

## Division 3: Hay Loaders

151 Hay loaders.....	159		
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## Division 4: Stackers

152 Stackers (Stationary type).....	100		
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## Division 5: Hay Balers

(1) Pick-up hay balers (50 units to be allotted).....	0		
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## GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE

## Division 1: Stationary Thrashers

158 Thrashers, width of cylinder under 28 inches.....	32		
159 Thrashers, width of cylinder 28 inches or over.....	32		
162 Ensilage cutters (silo fillers).....	89		

## Division 5: Feed Cutter (Hand and Power)

163 Feed Cutters, hand and power.....	105		
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## Division 6: Corn Shellers

164 Corn shellers, hand.....	33		
165 Power corn shellers (2, 4, 6 and 8 hole).....	33		
166 Power corn shellers, cylinder (150 bu. and under).....	33		
167 Power corn shellers, cylinder (over 150 bu.).....	33		

## GROUP 8: MACHINES FOR PREPARING CROPS FOR MARKET OR USE—continued

## Division 9: Feed Grinders and Crushers

Item	Quota Percentage	Item	Quota Percentage
174 Power Burr type.....	183		
175 Hammer.....	60		
175a Roughage mills.....	60		
175b Feed mixer (not concrete mixer).....	120		

## Division 10: Cleaners and Graders (Farm type)

176 Cleaners and graders (corn and grain).....	100		
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## Division 11: Potato Sorters and Graders

177 Potato sorters and graders.....	85		
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## Division 16: Other Machines for Preparing Crops for Market Use

(1) Roller or crusher type feed cutters.....	33		
(1) Pulper (feed).....	100		

## GROUP 9: FARM ELEVATORS AND BLOWERS

## Division 1: Elevators (portable)

188 Elevators, portable.....	50		
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## Division 2: Elevators (stationary)

189 Elevators, stationary.....			
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## GROUP 10: TRACTORS

## Division 1: Tractors, Wheel Type, by Rated Belt H. P

192 Special purpose under 30 h. p.....	75		
193 Special purpose 30 or over h. p.....			
194 All purpose under 30 h. p.....			
195 All purpose 30 and over h. p.....			

## Division 2: Garden Tractors

196 Garden tractors including motor tillers (325 units to be allotted).....			
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## GROUP 11: ENGINES

NOTE: Engines and repairs for same are not controlled by this order, but are scheduled by the Automotive Division.

## GROUP 12: FARM WAGONS AND TRUCKS (NOT MOTOR)

## Division 1: Wagons

205 Wagons, farm, without boxes.....	90		
206 Trucks, farm, without boxes.....	97		

## Division 2: Wagon Bodies

207 Wagon and truck boxes, farm.....	141		
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## GROUP 13: DOMESTIC WATER SYSTEMS

## Division 1: Deep and Shallow Well System

213 Deep well, reciprocal.....	135		
214 Deep well, jet pumps.....	135		
215 250-499 gals. per hour, shallow well.....	135		
216 500 to 3000 gals. per hour, shallow well.....	135		

## Division 2: Power Pumps

217 Horizontal type up to and including 50 gals. per min. 100 lb. pressure.....	135		
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## GROUP 14: FARM PUMPS AND WINDMILLS

## Division 1. Pumps, Water

220 Pitcher pumps or cistern pumps.....	86		
221 Hand and windmill pumps.....	102		

## Division 2: Windmills

222 Windmill heads.....	86		
223 Windmill towers.....	35		

GROUP 14: FARM PULPES AND WINDMILLS— continued		
Item		Quota Percentage
Division 3: Pump Jacks		
224 Pump jacks	-----	160
GROUP 15: IRRIGATION EQUIPMENT		
Division 2: Distribution Equip- ment		
(1) Repairs, sprinklers, valves and gates for truck garden sprin- kling equipment, excluding piping and lawn sprinklers: (1,000 pounds to be allotted)	-----	0
GROUP 16: DAIRY FARM MACHINES AND EQUIPMENT		
Division 1: Milking Machines		
237 Milking machines (with 2 pails per pump)	-----	185
Division 2: Farm Cream Separators		
238 Farm cream separators, capacity 250 lbs. per hour or less	-----	0
239 Farm cream separators, cap. 251- 800 lbs. per hour	-----	186
240 Farm cream separators, capacity 801-1500 lbs. per hour	-----	186
Division 3: Farm Milk Coolers		
241 Immersion type (200 units to be allotted)	-----	0
Division 4: Farm Butter Making Equipment		
243 Butter churns	-----	80
GROUP 17: BARN AND BARNYARD EQUIPMENT		
Division 2: Hay Unloading Equipment		
254 Hay carriers	-----	103
255 Track for hay carriers	-----	103
256 Hay forks, harpoon and grapple	-----	103
257 Pulleys and fittings	-----	103
Division 4: Livestock Drinking Cups and Watering Bowls		
261 Livestock drinking cups	-----	138
Division 5: Hog Troughs		
264 Hog troughs	-----	50
Division 8: Other Barn and Barn- yard Equipment		
270 Hog waterers	-----	50
271 Hog rings	-----	0
272 Bull rings	-----	0
GROUP 18: FARM POULTRY EQUIP- MENT		
Division 1: Incubators		
274 Incubators, 1000 egg capacity and smaller	-----	105
275 Incubators, over 1000 egg ca- pacity	-----	105
Division 2: Floor Brooders (over 100 chick capacity)		
277 Coal	-----	
279 Wood	-----	159
280 Electric	-----	

NOTE: Producers may use one-half their production of oil brooders (over 100 chick capacity), as well as one-half their production of coal, wood and electric types, during 1940 and 1941, in figuring their total brooder quota; but they can produce for shipment to Canada only the coal, wood, and electric types listed above.

<sup>1</sup> No applicable item number on Schedule A of Order L-257.

GROUP 18: FARM POULTRY EQUIPMENT— continued		
Item		Quota Percentage
Division 8: Egg Cleaners and Brushes (hand use only)		
(1) Egg cleaners and brushes (hand use only)	-----	160
GROUP 19: MISCELLANEOUS FARM EQUIPMENT		
Division 4: Harness Hardware		
298 Harness hardware (pounds)	-----	150
Division 6: Electric Fence Controllers		
300 Electric fence controllers	-----	225
301 Electric fence accessories (pounds)	-----	200
Division 8: Farm Wood-Sawing Machines		
309 Farm wood-sawing machines	-----	69
Division 10: Farm Lighting Plants		
311 Wincharger type (battery not included)	-----	25
ATTACHMENTS AND REPAIR PARTS		
(1) Repair parts, in the aggregate (base is one-half the net shipping weight of total 1940- 1941 shipments of repairs)	-----	156
(2) Attachments: Quota percentage for each attachment item is the same as that listed above for the machine or item with which the attachment is used, except that the base is net shipping weight instead of units. However, option may be chosen to lump all attach- ments as provided in para- graph (d) (3) of Order L- 257-a.	-----	
[F. R. Doc. 44-8135; Filed, June 6, 1944; 11:37 a. m.]		
PART 1180—ZINC SULPHIDE PIGMENTS [General Preference Order M-128, Revocation]		
Section 1180.1 General Preference Order No. M-128 is hereby revoked. This action shall not be construed to affect in any way any liability or penalty accrued or incurred under said Order M-128.		
Issued this 6th day of June 1944.		
WAR PRODUCTION BOARD, By J. JOSEPH WHELAN, Recording Secretary.		
[F. R. Doc. 44-8132; Filed, June 6, 1944; 11:36 a. m.]		
PART 3274—MACHINE TOOLS AND INDUS- TRIAL SPECIALTIES [General Preference Order E-5-a, as Amended June 6, 1944]		
GAGES AND PRECISION MEASURING HAND TOOLS		

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of gages and precision measuring hand tools, for defense, for private account and for ex-

port; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3274.41 General Preference Order E-5-a—(a) Definitions. For the purpose of this order:

(1) "Gages and precision measuring hand tools" means those types of tools which are listed on Exhibit A attached hereto, excluding tools made of wood or plastics.

(2) "Producer" means any person who is engaged in the manufacture of gages or precision measuring hand tools.

(3) "Stock order" means any purchase order for gages or precision measuring hand tools now or hereafter placed with a producer by any person acquiring such tools pursuant to a rating assigned on Form WPB-547 (formerly PD-1X) Form WPB-646 (formerly PD-300) or Canadian Form PB-1010.

(4) "Other order" means any purchase order for gages or precision measuring hand tools except stock orders.

(5) "Total monthly production" means either, (i) The total dollar value of each of the types of gages and precision measuring hand tools listed on Exhibit A scheduled to be produced in any given month by a producer or, (ii) The total number of units of each of the types of gages and precision measuring hand tools listed on Exhibit A scheduled to be produced in any given month by a producer. Each producer may choose between computing his total monthly production on a dollar or a unit basis.

(b) Necessity for preference ratings. On and after June 6, 1944, no producer shall sell or deliver any gages or precision measuring hand tools except to fill purchase orders bearing a preference rating of AA-5 or higher.

(c) Allocation of production between stock orders and other orders. Beginning with the month of July 1944, and in each month thereafter, each producer shall schedule his monthly production and delivery of gages and precision measuring hand tools as follows:

(1) To the extent that he has stock orders on hand he shall schedule between 20 and 25 percent of his total monthly production of each type of gages and precision measuring hand tools listed on Exhibit A for delivery against stock orders requiring delivery in such month. No producer shall schedule any purchase order pursuant to this paragraph (c) (1) unless it clearly appears from such order that the rating was assigned on Form WPB-547 (PD-1X) Form WPB-646 (PD-300) or Canadian Form PB-1010.

The sequence of deliveries of stock orders within the percentage limitations which may be delivered in any given month shall be scheduled according to § 944.7 of Priorities Regulation No. 1 and other applicable War Production Board regulations.

(2) To the extent that he has other orders on hand he shall schedule between 75 and 80 percent of his total monthly production of each type of gages and precision measuring hand tools listed on Exhibit A for delivery against other orders requiring delivery in such month.

The sequence of deliveries of other orders within the percentage limitations which may be delivered in any given month shall be scheduled according to § 944.7 of Priorities Regulation No. 1 and other applicable War Production Board regulations.

(3) Any portion of the percentage allocated to stock orders which has not been taken up by such orders on or before the 15th day of the month preceding the month being scheduled shall be scheduled for delivery against other orders and vice versa.

(d) *Repair parts.* Nothing in this order shall be deemed to prevent the sale and delivery of any part manufactured for use in the repair or maintenance of gages and precision measuring hand tools. Purchase and delivery of such repair parts shall be in accordance with applicable regulations and orders of the War Production Board.

(e) *Intra-company deliveries.* Notwithstanding the provisions of § 944.12 of Priorities Regulation No. 1, the provisions of this order shall not apply to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(f) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(g) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said Board shall, from time to time request, subject to the approval of the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

(h) *Appeals.* Any appeal from the provisions of this order shall be made on Form WPB-1477 (formerly PD-500) or by letter in triplicate, referring to the particular provisions appealed from, and stating fully the grounds of the appeal. All appeals should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control, and may be deprived of priorities assistance.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Tools Division, Washington 25, D. C., Ref: E-5-a.

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### EXHIBIT A

Bevels, all types, excluding carpenter's.  
Buttons, tool makers'  
Calipers, all types, including attachments, but excluding dial equipped calipers.  
Center testers and wigglers.  
Clamps, key seat, parallel, rule and tool makers'.  
Dividers, all types, including attachments, but excluding draftsmen's and carpenters' dividers.  
Drill or V-Blocks and clamps for same—  
Hardened and/or ground only, with capacity of 3" round and under.  
Gages, the following types only—  
Angle, excluding universal.  
Ball or radius.  
Button.  
Center, including attachments.  
Circumference.  
Cutter clearance.  
Cylinder.  
Depth, all types.  
Drill, drill point.  
Fillet or radius.  
Height, all types.  
Hole, excluding dial equipped.  
Screw pitch.  
Screw and wire.  
Surface.  
Taper, all types.  
Telescope.  
Thread, used for grinding and setting tools for thread cutting.  
Thickness or feeler, including stock and holders.  
Wire or rolling mill, and attachments.  
Hold downs, tool makers'  
Indicators, dial, excluding AGD dials specified in commercial standard CS 8-41, U. S. Bureau of Standards.  
Indicators, test, excluding those having AGD dials specified in commercial standard CS 8-41, U. S. Bureau of Standards, and/or test indicators which have base dimensions greater than 3" or have a magnetic base.  
Levels, machinist and precision.  
Micrometers, external and internal, including attachments and standards for same.  
Micrometer heads.  
Parallels, under 6" in length.  
Protractors, all types, excluding draftsmen's.  
Sets, combination.  
Squares, calibrated  $\frac{1}{32}$ " and finer, all types, including attachments, but excluding draftsmen's squares.  
Steel rules, calibrated  $\frac{1}{32}$ " and finer, excluding draftsmen's rules and steel tape rules.  
Straight edges, excluding cast iron or cast steel, and draftsmen's and carpenters'.  
Trammels, all types, including attachments, but excluding draftsmen's trammels.  
Vernier tools, all types.

[F. R. Doc. 44-8136; Filed, June 6, 1944; 11:37 a. m.]

#### PART 3293—CHEMICALS

[General Allocation Order M-300, as Amended June 6, 1944]

##### CHEMICALS AND ALLIED PRODUCTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of those chemicals and allied products subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.1000 *General Allocation Order M-300—(a) Purpose and effect.* The

purpose of this general allocation order is to provide a central framework for allocation of chemicals and allied products.

Three general systems of allocation are provided for in this order, following the outline of allocations now in general use for chemicals. Appendix A materials are allocated on customers' Form WPB-2945 (formerly PD-600) and suppliers' Form WPB-2946 (formerly PD-601). Appendix B materials are allocated on suppliers' Form WPB-2947 (formerly PD-602) on the basis of certified statements of proposed use from each customer. Appendix C materials are allocated on suppliers' Form WPB-2947 (formerly PD-602) on the basis of applications on customers' Form WPB-2945 (formerly PD-600) for large orders and certified statements of end use to the supplier from customers ordering intermediate quantities.

A separate schedule under this general order is issued for each subject material. The schedule details the information required for applications, and may contain special exemptions or additional requirements modifying the terms of the general order.

The appendices in this order outline the requirements for applying for each material and show the governing schedule numbers.

The general order will be amended and reprinted in its entirety whenever a change is made in the body of the order. Appendices A, B and C will be amended and reprinted separately about once a month, showing all materials subject to the order at that time. Schedules may be issued or amended at any time, and remain in effect until individually amended or revoked. A material is subject to the order as an Appendix A, B or C material as stated in the applicable schedule although the corresponding amendment to the appendix has not issued. In the event of inconsistency between a schedule and the general order or its appendices, the provisions of the schedule shall govern.

(b) *Definitions.* For the purpose of this order:

(1) "Material" means any chemical or allied product defined and made subject to this order as an Appendix A, B or C material by an M-300 schedule.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(3) "Supplier" means any person who produces or imports a material or who purchases a material for resale as such.

(4) "Initial allocation date" means the date when a material first becomes subject to allocation under this order, or when it first became subject to allocation under another order prior to its transfer to this order, whichever date is earlier.

### *Appendix A Materials—General Requirements*

(c) *Delivery, acceptance of delivery, and use.* On and after the initial allocation date, no supplier of an Appendix A material shall deliver it to any person, no person shall accept delivery of an Appendix A material from a supplier, and no person shall use an Appendix A material, except as specifically authorized in writing by the War Production Board upon application under this order.

### *Appendix B Materials—General Requirements*

(d) *Delivery and use.* On and after the initial allocation date:

(1) No supplier of an Appendix B material shall use or deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order.

(2) A person who places a certified purchase order for an Appendix B material must use the material for the purpose stated, subject to advice by the supplier that a particular specified use has been denied or limited by the War Production Board. Material acquired after the initial allocation date from any person other than a supplier shall not be used except in exempt small order quantities, unless specifically authorized in writing by the War Production Board.

(e) *Certified purchase orders.* With respect to material ordered for delivery on and after the initial allocation date:

(1) Each person ordering an Appendix B material from a supplier shall furnish a certified statement of end use with his purchase order in accordance with Appendix D.

NOTE: Former paragraph (2) revoked; former paragraph (3) redesignated June 6, 1944.

(2) Each supplier within a week after receipt of authorization to ship shall notify his customer of denial in whole or in part by the War Production Board of any item or items on a certified purchase order placed by the customer.

### *Appendix C Materials—General Requirements*

(f) *Delivery.* On and after the initial allocation date, no supplier of an Appendix C material shall deliver it to any person, except as specifically authorized in writing by the War Production Board upon application under this order.

(g) *Acceptance of delivery.* On and after the initial allocation date, no person shall accept delivery during any allocation period from all suppliers of an aggregate quantity of an Appendix C material in excess of the quantity specified in Column 3 of Appendix C, except as specifically authorized in writing by the War Production Board upon application under this order.

(h) *Use.* On and after the initial allocation date, no person shall use an Appendix C material except as follows:

(1) As specifically authorized in writing by the War Production Board upon

application on Form WPB-2945 (formerly PD-600) or

(2) For the purpose and in the quantity stated in the use certificate furnished with the purchase order against which the material was delivered, unless advised by the supplier that a particular specified use has been denied or limited by the War Production Board.

(i) *Certified purchase orders.* (1) Each person ordering an aggregate quantity of an Appendix C material within the limits specified in Column 4 of Appendix C from all suppliers for delivery during any allocation period, shall furnish each supplier with a use certificate in accordance with Appendix D.

(2) Each supplier within a week after receipt of authorization to ship shall notify his customers of denial in whole or in part by the War Production Board of any item or items on their certified purchase orders.

### *Additional Reports and Certificates—Special Requirements*

(j) *Past use and inventory report.* Periodic or one-time reports on Form WPB-3442 covering past use and inventory may be required by the applicable schedule.

(k) *Supplementary use certificates.* Persons required to file statements of use with respect to materials subject to this order may be required by the applicable schedule to obtain supplementary statements of use from their customers.

### *Existing Stocks on Initial Allocation Date*

(l) *Suppliers' stocks.* The restrictions on delivery and use of Appendix A, B, and C materials shall apply to all stocks of each supplier on the initial allocation date. Stocks of suppliers who resell exclusively on small orders are exempted by paragraph (o) (4).

(m) *Exemption for stocks of suppliers who consume.* If a supplier customarily maintains inventories of an Appendix A, B or C material for his own consumption separately, both physically and on his books, from his inventory of the material for sale, his stocks on the initial allocation date for his own consumption shall be subject to the provisions of the following paragraph (n) regarding consumers' stocks and not to the restrictions of paragraph (l) above regarding suppliers' stocks. Prior to the initial allocation date, no supplier shall transfer any more material to his inventory as a consumer than his rated orders for derivatives of the material compared with his rated orders for the material itself would permit under Priorities Regulation No. 1.

(n) *Consumers' stocks.* Any person not a supplier may freely use, deliver or accept delivery of any Appendix A, B or C material which he had in stock on the initial allocation date or which was in transit consigned to him prior to that date, unless otherwise expressly provided in the applicable Schedule (indicated by asterisk in Column 7 of Appendix A)

### *Small Order Exemption*

(o) *Small order deliveries by suppliers.* A supplier may fill small orders without application or specific authorization, if he delivers not more than the small order exemption quantity specified in Appendix A, B or C to any customer in any allocation period, if he has received small order certificates when so required, and if the total amount delivered does not exceed the sum of the following:

(1) The amount which he has been specifically authorized, upon application on the applicable supplier's form (WPB-2946 or 2947) to deliver on small orders;

(2) The amount which he has received pursuant to specific authorization or certification for redelivery on small orders;

(3) The amount which he himself acquired on small orders and has not used for other purposes;

(4) The amount which he had on hand on the initial allocation date, if he sells exclusively on small orders.

(p) *Acceptance of delivery and use of small order quantities.* Any person during each allocation period may use and accept delivery of the small order exemption quantity provided in Appendices A, B and C for each material, provided that:

(1) The total accepted from all suppliers during each allocation period shall not exceed in the aggregate one small order exemption quantity.

(2) Quantities received under the small order exemption shall be used only for experimental purposes if additional quantities of the material are received during the same allocation period on specific allocation;

(3) Use of the material is subject to any special limitations on use contained in the applicable schedule (noted with a "u" in the small order exemption columns of Appendices A, B and C)

(4) Acceptance is subject to the filing of a special small order certificate when required by the applicable schedule (noted with a "c" in the small order columns of Appendices A and C)

(5) Material allocated for a particular purpose (other than inventory) must be used for that purpose and not under this exemption, unless changing circumstances or expiration of the authorization to use make it impractical or impossible to use the material for the original purpose.

(6) An operating unit need not consider the purchases or allocations of other units in determining whether it comes within this exemption, if the unit normally buys separately and has not changed its practice to come within this provision.

### *Territorial and Import-Export Provisions*

(q) *Territorial limitations.* This order applies only to acts occurring within the continental United States (the forty-eight States and the District of Colum-



bia) and deliveries across the borders of the continental United States shall constitute imports and exports for the purpose of this order. This provision may, however, be expressly modified in the applicable schedule.

(r) *Imports.* Application and authorization under this order shall not be required for importation of an Appendix A, B and C material into the United States, acceptance of delivery of the material by the consignee and delivery by such consignee to, and acceptance by, any person who purchased or contracted to purchase the material prior to its importation. No person who acquires an Appendix A, B or C material under this exemption shall use it after the initial allocation date except as specifically authorized in writing by the War Production Board upon application under this order. Nothing contained in this order limits the requirements of General Imports Order M-63.

(s) *Exports.* (1) No supplier shall export or deliver for export on Appendix A, B or C material after the initial allocation date except as specifically authorized in writing by the War Production Board upon application under this order, or except to fill exempt small orders. A producer who is also an exporter shall treat the export part of his operations as a separate entity for the purpose of this order. An exporter applying on Form WPB-2945 (formerly PD-600) for allocation and to the Foreign Economic Administration for an export license for the same material subject to this order, shall file both sets of applications together with the Foreign Economic Administration.

(2) Authorized deliveries for export must be made within the authorized period, unless the exporter notifies the supplier and the War Production Board in writing that delivery must be postponed to a later specific period, in which case the limitation of duration of authorization in paragraph (t) is automatically waived, subject to any special directions from the War Production Board. After an exporter has accepted an authorized delivery for export he may export the material at any time to the destination for which allocation was made without further application or authorization under this order.

(3) Customers located and ordering for delivery outside of the continental United States need not file small order certificates which might otherwise be required under this order.

(4) An exporter (meaning any supplier located in the continental United States) who has or expects to have exempt small orders from customers located and ordering for delivery outside of the continental United States, may place a consolidated purchase order for the required material accompanied by a statement signed by an authorized official: "For exempt small orders outside continental United States—Ref: M-300" The supplier receiving the exporter's consolidated order with this statement may fill it from quantities of material

which, upon his application, have been allocated by the War Production Board specifically for "Exporters, paragraph (s) (4) of M-300" The exporter may accept delivery of the material without further certification, application or authorization, and may deliver it only to customers located and ordering in exempt small order quantities for delivery outside of the continental United States.

#### *Duration of Authorizations*

(t) *Duration of authorization for delivery.* If it is not practicable for a supplier to make all deliveries in the allocation period for which authorized, he may complete them as early as practicable in the next month. However, authorization shall terminate if the purchaser fails to place his order before the end of the allocation period or if the purchaser requires postponement of delivery beyond 10 days after the allocation period. When authorization to deliver is received before the specified allocation period, advance delivery may be made if it does not delay previously authorized deliveries.

(u) *Duration of authorization for acceptance of delivery.* A purchaser may accept delivery before or after the allocation period but shall notify the War Production Board and hold the material intact subject to direction from the War Production Board if he knows or has reason to believe that the shipment was made before authorization for delivery has been received or after the authorization for delivery had expired.

(v) *Duration of authorization for use.* Authorization for use on Form WPB-2945 (formerly PD-600) shall be valid from the time it is received until the end of the month following the allocation period for which the authorization was issued. The applicable schedule may extend this period. Any unused portion remaining thereafter shall not be used for any purpose until further authorized or directed by the War Production Board. This order does not limit duration of authorization for use of materials not allocated on Form WPB-2945.

#### *Action by War Production Board*

(w) *Individual actions.* In addition to regular allocations under this order, the War Production Board may at any time issue special directions to any person with respect to:

(1) Use, delivery or acceptance of delivery of an Appendix A, B or C material; or

(2) Production or processing of an Appendix A, B or C material; or

(3) Preparation and filing of forms and certificates required by this order or by its schedules, subject to approval by the Bureau of the Budget when required by Federal Reports Act of 1942.

#### *Miscellaneous Provisions*

(x) *Rules governing disposition of materials.* After the initial allocation

date a person may use or deliver Appendix A, B or C materials only as follows:

(1) He may use material in accordance with specific written authorization, subject to the limitations in paragraph (v) on duration of authorizations for use on Form WPB-2945.

(2) He may use material as specified in a use certificate required to be filed with the purchase order for the material, unless advised by the supplier that a particular specified use has been denied or limited by the War Production Board.

(3) He may freely use stocks which he had on the initial allocation date if exempt under paragraph (n)

(4) He may use material within the quantity and use limitations of paragraph (p) without application or specific authorization.

(5) Pending receipt of material allocated for a particular purpose, he may use stocks on hand for that purpose but must replace the stocks upon receipt of the allocated material.

(6) He must obtain specific authorization under this order for use of material which cannot be used as described above. This includes material allocated for inventory and material received under Priorities Regulation 13, unless used in small quantities under paragraph (p) Application for authorization to use this material may be made on Form WPB-2945 or by letter, containing the same information as to quantity, grade and proposed use which would have to be given when applying for the material from a supplier.

(7) If he is a supplier he may deliver material only as authorized by or pursuant to this order. If he is not a supplier he may deliver material in accordance with Priorities Regulation 13, without application or specific authorization under this order for the delivery or its acceptance.

(y) *Other provisions—*(1) *Toll arrangements.* In the case of any toll arrangement where raw materials are converted into any Appendix A, B or C material by any person for the owner of the raw materials, the owner shall be considered the producer for the purpose of applications and authorizations under this order, and the Appendix A, B or C material may be delivered to him without restriction. However, no supplier may process on toll agreement any Appendix A, B or C material which the supplier previously delivered under small order exemption.

(2) *Laboratories.* This order is subject to the provisions of Supplementary Order P-135-a, which contains optional provisions for filing of small order and end use certificates by laboratories ordering reagent chemicals, and for acceptance by laboratories of small order deliveries of reagent chemicals.

(3) *Equivalent quantities.* The provisions of this order relate to quantities of

material and not to the identity of any particular lot of material.

(4) *Full container adjustments.* A specifically authorized delivery (not including an exempt small order delivery) may be increased to the extent necessary to avoid shipping partly filled containers, if a container in the nearest practicable size is used. The person accepting over-shipment shall hold the excess material as an advance shipment on subsequent allocations, and shall use it only for the purpose authorized for the subsequent allocation against which it is credited, or shall hold it in inventory subject to further directions from the War Production Board.

(5) *Brokers and sales agents.* Application and specific authorization shall not be required for the participation by a broker and sales agent in either of the following cases: (i) When material is ordered through a broker or sales agent and is to be delivered by the supplier direct to the purchaser and not to the broker or sales agent for redelivery to the purchaser; (ii) When material is sold by a supplier through an agent who submits the customers' purchase orders to the supplier for approval.

In either of these cases, the purchaser shall furnish the broker or sales agent with the necessary application forms or certificate, which the broker or sales agent shall transmit to the supplier. The supplier shall then apply for authorization to deliver as if the order had been placed directly with him. Similarly, exempt small orders may be transmitted to the supplier and filled in accordance with paragraph (c) as if placed directly with the supplier.

(6) *Applicability of regulations.* This order, its schedules, and all transactions affected thereby, are subject to all applicable War Production Board regulations, as amended from time to time.

(7) *Approval of reporting requirements.* Forms WPB-2945, 2946, 2947 and 3442, and the instructions in this order and in its Appendices and schedules for applications and reports regarding materials subject to this order, have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(8) *Violations.* Any person who willfully violates any provision of this order or of its schedules or who, in connection with such order or schedule, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priority assistance.

(9) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemical Bureau,

Washington 25, D. C., Ref: M-300— (specify applicable schedule number).

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### APPENDICES A, B AND C

Lists of materials with outline of allocation requirements. These appendices are issued and printed separately.

#### APPENDIX D—USE CERTIFICATES—GENERAL INSTRUCTIONS

(1) Each person required to file a use certificate with a purchase order for material subject to this order shall furnish the supplier with a certified statement of proposed use of the material in substantially the following form, either placed on or attached to the purchase order:

*(Statement of quantity of listed material required for each specified product and end use—see instructions in the applicable schedule and the instructions in paragraphs (10) and (11) of Appendix E for description of proposed use.)*

#### USE CERTIFIED—REF. M-300

-----  
Name of purchaser

By: -----  
(Signature and title of  
duly authorized officer)

(2) In the event two or more end uses are involved in a single purchase order, the amount of the material required for each use shall be listed as a separate item. Each item shall bear an identifying number so that it will be possible for the supplier to advise his customer by purchase order number and item number as to the action taken in the supplier's application for authorization to make delivery.

(3) A written purchase order placed by any department or agency of the United States Government pursuant to the Act of March 11, 1941 (Lend-Lease Act) shall constitute a use certificate for the purpose of this order, if the purchase order specifies the Lend-Lease contract or requisition number.

(4) A certified statement on Form WPB-2945 (formerly PD-600), or on any equivalent form, of quantities of material ordered for each intended product and end use, shall constitute a use certificate for the purpose of this order.

(5) The special certificate specified in Supplementary Order P-135-a may be used by laboratories when applicable instead of the above certificate.

(6) The standard form of certificate in Priorities Regulation 7 may be used instead of the above form of certificate if accompanied by the statement of proposed use.

#### APPENDIX E—FORMS WPB-2945, 2946 AND 2947—GENERAL INSTRUCTIONS

##### CUSTOMERS' FORMS

*Customers' Form WPB-2945 (formerly PD-600).* Each person requiring specific authorization to use or accept delivery of a material subject to this order shall file application on Form WPB-2945 in the manner prescribed therein, subject to the following general instructions:

(1) *Where to obtain copies.* Copies may be obtained at local field offices of the War Production Board.

(2) *Special instructions in schedules.* The applicable schedule may contain special instructions for applying for the particular material, supplementing or modifying the following general instructions.

(3) *When application is required.* Application for specific authorization is required for use or acceptance of delivery during any al-

location period of a quantity exceeding the small order exemption in Column 5 of Appendix A, or of a quantity specified in Column 3 of Appendix C, or for use of an Appendix A, B or C material which has previously been allocated for a different purpose or for inventory.

(4) *Time of filing.* Application for regular allocation shall be filed or mailed in time to reach the War Production Board on or before the date specified in Column 3 of Appendix A or C.

(5) *Number of copies and where to file.* Prepare five copies (a continuation sheet for Table 1 is available), retain one, send one (reverse side blank) to the supplier, if any, and send three copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Reference M-300— (specify schedule number). Exporters, however, when applying to the Foreign Economic Administration for an export license for material for which War Production Board allocation is requested, shall send both sets of applications to the Foreign Economic Administration.

(6) *Applications regarding suppliers and inventory.* When applying only for use from inventory, specify "Inventory" as supplier in the heading. When applying for material from other companies as suppliers, file separate sets of applications for each supplying company. A combined application may be made to accept delivery and use material from another company as supplier, and to use an additional quantity from inventory. It will be presumed that applications which name another company in the heading as supplier relate only to acceptance of delivery and use of material from that supplier, unless it is clearly indicated that part of the application relates to use of an additional quantity from inventory. This may be indicated by specifying the requested quantity from inventory separately in Column 2 (quantities requested) and by specifying in Column 10 (Remarks) "From Inventory".

(7) *Heading.* Fill in as indicated, specifying as WPB Order No., "M-300— (specify Schedule number)."

(8) *Table 1.* Specify in the heading the allocation period for which authorization for acceptance of delivery or use is sought.

(9) *Columns 1 and 2.* Fill in as indicated, subject to the instructions in the applicable Schedule.

(10) *Column 3.* Specify the proposed primary use of the material sought in terms of the proposed primary product to be made from the material (as indicated in the applicable Schedule), or specify the use as for resale, export or inventory of the requested material in original form.

(11-a) *Column 4.* Fill in as follows:

Opposite any primary product in Column 3 which is subject to allocation, specify in Column 4 only the allocation order number (and Schedule number, if allocated under General Allocation Order M-300).

Opposite any primary product in Column 3 which is not under allocation, specify in Column 4 the end use accurately and briefly, giving Army or Navy specification or contract numbers, or Lend-Lease requisition and contract numbers, when practicable.

Opposite "resale" in Column 3, suppliers shall write into Column 4 "upon further authorization" or "for exempt small orders". Suppliers who resell in both large and small quantities should specify "upon further authorization" for the total quantity ordered, and should apply on their suppliers' Form WPB-2946 or 2947 for authorization to deliver an aggregate quantity for small orders.

Opposite "export" in Column 3 specify in Column 4 the name of the individual company or governmental agency to whom, or for whose account, the material will be exported, the country of destination, and the governing export license or contract number, unless Lend-Lease, in which case merely spec-

ify the Lend-Lease contract and requisition number.

Opposite "Inventory" in Column 3, write into Column 4, "subject to further authorization"

[NOTE: Paragraph (11-a) formerly (11) redesignated June 6, 1944.]

(11-b) *Protective coatings.* When materials are sought for protective coatings columns 3 and 4 may be filled out in accordance with the Primary Products and End Use List for the Protective Coatings Industry (WPBI-217).

(12) *Columns 9 and 10.* Leave blank, except for remarks, if any, in Column 10.

(13) *Tables II, III and IV.* Fill in as indicated except as otherwise provided in the applicable schedule. In Columns 15 and 16, report entire physical inventory, whether or not subject to valid authorization or exemption on the dates specified. Suppliers who both sell and consume the material shall keep separate accounts of their sales and consumption inventories, reporting only the latter on customers' Form WPB-2945.

(14) *Table V.* Fill in only when and as required by the applicable schedule.

#### SUPPLIERS' FORMS

*Suppliers' Forms WPB-2946 and 2947 (formerly PD-601 and 602).* Each supplier requiring specific authorization to make delivery shall file application on Form WPB-2946 for an Appendix A material and on Form WPB-2947 for an Appendix B or C material, in the manner prescribed in these forms, subject to the following general instructions:

(15) *Where to obtain copies.* Copies may be obtained at local field offices of the War Production Board.

(16) *Special instructions in schedule.* The applicable schedule may contain special instructions for applications to deliver the particular material, supplementing or modifying the following general instructions.

(17) *When application to deliver is required.* Application for specific authorization to deliver an Appendix A, B or C material is required for any delivery by a supplier after

the initial allocation date which is not subject to small order exemption.

A supplier who wishes to divert to his own use any part of his own production shall list his own name on the applicable supplier's form as in the case of any other customer, in addition to applying on customer's Form WPB-2945 (formerly PD-600) when so required.

(18) *Time of filing.* Applications for regular allocation shall be filed or mailed in time to reach the War Production Board on or before the date specified in Column 4 of Appendix A or Column 3 of Appendix B or Column 6 of Appendix C.

(19) *Number of copies and where to file.* Unless otherwise instructed in the applicable schedule, prepare four copies, retain one, and send three copies (original certified) to the War Production Board, Chemicals Bureau, Washington 25, D. C., Ref: M-300— (specify schedule number).

(20) *Number of sets.* File a separate set of forms for each separately located plant or distributing point, unless otherwise expressly provided in the applicable schedule.

(21) *Heading.* Fill in as indicated, specifying as WPB Order No. "M-300—" (specify schedule number).

(22) *Table I.* Fill in as indicated on Form WPB-2946 (formerly PD-601). List customers alphabetically, as far as practicable. On Form WPB-2947 (formerly PD-602) group customers according to end use and list alphabetically within each group, as far as practicable. If the applicant supplier wishes to use any part of his own production, he should list his own name as a customer on his supplier's form as in the case of any other customer. An aggregate quantity may be requested for exempt small orders without listing individual customers' names. In the case of Appendix C materials specify "WPB-2945" without further use description in Column 1-a of Form WPB-2947 opposite the names of customers who have filed copies of Form WPB-2945 with the applicant supplier.

(23) *Table II.* Fill in as indicated. In Column 10 and 13 report stocks on physical inventory basis regardless of whether any

part of the stock is subject to valid authorization to deliver on the date specified. In Column 16, specify a quantity no greater than what is estimated will be available for allocation during the requested allocation period, taking into account undelivered balances on still valid prior authorizations.

[F. R. Doc. 44-8133; Filed, June 6, 1944; 11:36 a. m.]

#### PART 3293—CHEMICALS

[General Allocation Order M-300, Direction 1]

#### CHEMICALS AND ALLIED PRODUCTS—APPLICABILITY OF M-300 TO OTHER ORDERS

The following direction is issued pursuant to General Allocation Order M-300:

All orders which require applications to be filed on Form WPB-2945, 2946 or 2947 (PD-600, 601 or 602) and to be addressed to the Chemicals Bureau, Division or Branch, are subject to the following provision of Order M-300:

(a) Paragraph (s) (4), regarding small order exports.

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 44-8139; Filed, June 6, 1944; 11:36 a. m.]

#### PART 3293—CHEMICALS

[General Allocation Order M-300, Appendices A, B, and C]

#### CHEMICALS AND ALLIED PRODUCTS

Appendices A, B, and C of General Allocation Order M-300 (§ 3293.1000) are amended to read as follows:

#### APPENDIX A—ALLOCATION USING FORMS WPB-2945 AND WPB-2946

(NOTE.—Benzene, toluene and xylene added, and anhydrous hydrofluoric acid schedule amended since May 5, 1944)

Material	Schedule	Customers' (including suppliers seeking to purchase) filing date (WPB-2945)	Suppliers' filing date (WPB-2946)	Small order exemption per allocation period. ("u" indicates use restriction in schedule; "o" indicates small order certificate required by schedule.)	Report on Form WPB-3442	Initial allocation date and allocation period. (* indicates consumers stocks frozen.)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Anhydrous hydrofluoric acid.	4 (am'd 6-1-44)	15th	20th	5 tons	None	3-1-44 month.
Benzaldehyde	7 (issued 3-15-44)	15th	20th	50 lbs	None	4-1-44 month.
Benzene	22 (issued 6-1-44)	10th	15th	One drum (55 gal.)	None	7-1-42, month.
Formaldehyde	9 (issued 4-6-44)	15th (10th if supplier not producer).	20th	10,000 lbs. (37% sol.) 3,000 lbs.	None	3-1-43, month.
Hexamethylenetetramine	10 (issued 4-6-44)	15th	20th	10,000 lbs.	None	3-1-43, month.
Hide glue, extracted bone glue and green bone glue.	8 (issued 3-22-44)	15th	20th	1,200 lbs. of hide and extracted bone glue, and 6,000 lbs. of green bone glue per quarter.	Yes	4-1-44, quarter.
Isopropyl alcohol	12 (issued 4-14-44)	15th	20th	270 gals.	None	7-1-42, month.
Metallic sodium	16 (issued 5-5-44)	10th	20th	100 lbs.	None	12-1-43, month.
Nicotinic acid	1 (issued 2-11-44)	15th	20th	One kilogram	None	5-4-43, month.
Pentacrythritol	11 (issued 4-6-44)	15th	20th	100 lbs.	None	3-1-43, month.
Pine tar	14 (issued 4-18-44)	15th	20th	5 gals.	None	5-1-44, month.
Polystyrene	19 (issued 5-5-44)	15th	22d	100 lbs.	None	5-1-43.
Polydichlorostyrene.				5 lbs.		6-1-44, month.
Toluene (toluol)	21 (issued 6-1-44)	10th	15th	60 gals. per 12 mo. for laboratories only.	None	2-1-42 month.
Xylene (xylol)	23 (issued 6-1-44)	10th	15th	One drum (55 gals.)	None	*7-1-44 (10-1-42 for types then under M-150), month.

## APPENDIX B—ALLOCATION USING SUPPLIERS' FORM WPB-2947 WITH CUSTOMERS' USE CERTIFICATES

(NOTE: No additions since May 5, 1944)

Material	Schedule	Suppliers' filing date (WPB-2947)	Small order exemption per allocation period—No certificate required ("u" indicates no restriction in schedule)	Report on Form WPB-2942	Initial allocation date and allocation period
1	2	3	4	5	6
Acrylic monomer and resin.....	17 (issued 5-5-44).....	16th.....	Cast sheet 50 sq. ft. Molded sheet 50 sq. ft. Molding powder 100 lbs. Cast shapes 50 lbs. Tubo 25 lbs. Red 25 lbs. Soluton 400 lbs. (1 bbl.) Emulsion 400 lbs. (1 bbl.) Monomer 10 gals. (50 lbs.) Granular polymers 100 lbs.	None.....	1-1-43, month.
Dipentene.....	13 (issued 4-17-44).....	20th.....	5 gals.....	Yes.....	5-1-44, month.
Peroxygen chemicals: Hydrogen peroxide. Sodium peroxide. Sodium perborate.	5 (issued 2-23-44).....	20th.....	600 lbs. 75 lbs. 25 lbs.	Yes.....	4-1-44, month.
Riboflavin.....	2 (issued 2-11-44).....	20th.....	100 grams.....	None.....	4-1-43, month.
Styrene..... Dichlorostyrene.	18 (issued 5-5-44).....	20th.....	375 lbs. 5 lbs.	None.....	6-1-42. 6-1-44, month.

## APPENDIX C—ALLOCATION USING FORM WPB-2947 FOR SUPPLIERS WITH CUSTOMERS' FORM WPB-2943 FOR LARGE ORDERS AND USE CERTIFICATES FOR INTERMEDIATE ORDERS

(NOTE: Hexahydric alcohols added since May 5, 1944)

Material	Schedule	Customers' applications		Small order exemption per allocation period. ("u" indicates no restriction in schedule; "e" indicates small order certificate required by schedule)	Suppliers' filing date (WPB-2947)	Report on Form WPB-2942	Initial allocation date and allocation period
		On Form WPB-2943, filing date and quantities per allocation period from all suppliers	Use certificate quantities per allocation period from all suppliers				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Citric Acid.....	6 (issued 2-23-44).....	1st—15,000 lbs. or more..	Between 449-15,000 lbs..	449 lbs. per quart.	16th.....	On Form WPB-2942 instead.	7-1-43, quarter.
Glycols:	15 (issued 5-5-44).....	12th—more than:	Between:		16th.....	None.....	10-1-42, month.
Ethylene glycol.....		75,000 lbs.	5000-75,000 lbs.	5000 lbs.			
Propylene glycol.....		10,000 lbs.	500-10,000 lbs.	500 lbs.			
Diethylene glycol.....		7,500 lbs.	1000-7,500 lbs.	1000 lbs.			
Triethylene glycol.....		2,000 lbs.	500-2,000 lbs.	500 lbs.			
Mixed glycols.....		5,000 lbs.	1000-5,000 lbs.	1000 lbs.			
Hexahydric alcohols:	20th (issued 6-1-44).....	12th more than:	Between:		20th.....	None.....	12-1-42, month.
d-sorbitol crystalline.....		1000 lbs.	25-1000 lbs.	25 lbs.			
Technical grade d-sorbitol (75% aqueous sol.).....		6000 lbs.	50-6000 lbs.	50 lbs.			
Commercial grade non-crystalline sorbitol-isomine mixtures.....		6000 lbs.	500-6000 lbs.	500 lbs.			
Mannitol-crystalline.....		1000 lbs.	50-1000 lbs.	50 lbs.			
Thiamine hydrochloride.....	3 (issued 2-11-44).....	15th 2000 grams or more.	Between 100-2000 grams.	100 grams.....	20th.....	None.....	5-4-43, month.

Issued this 6th day of June 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F R. Doc. 44-8138; Filed, June 6, 1944;  
11:36 a. m.]

## PART 1010—SUSPENSION ORDERS

[Suspension Order S-558]

GEORGE T. SELLERS' SONS

William S. Horst, doing business as George T. Sellers' Sons, is engaged in the business of buying and selling plumbing and heating equipment and hardware at Gap, Pennsylvania.

During the period from February 5 to December 31, 1943, he made seventeen deliveries of new metal plumbing and heating equipment totaling \$9,523 to

ultimate consumers, on orders which did not bear preference ratings and which were not within any of the excepted sales under General Limitation Order L-79. These acts constituted violations of General Limitation Order L-79. Between August 21 and December 31, 1943, he applied a preference rating of AA-5-MRO P-84 on orders for plumbing and heating equipment totaling \$4,206 in amount, without first securing from the consumers the certification required by Preference Rating Order P-84, and in violation of the order. He was grossly negligent in failing to find out what restrictions were imposed by War Production Board orders governing these transactions.

These violations of General Limitation Order L-79 and Preference Rating Order P-84 have diverted scarce materials to uses not authorized by the War Production Board, and have hampered and im-

peded the war effort of the United States. In view of the foregoing, it is hereby ordered, that:

§ 1010.558 *Suspension Order No. S-558.* (a) William S. Horst, doing business as George T. Sellers Sons, or otherwise, his and its successors or assigns, are hereby prohibited from accepting delivery of or receiving any new plumbing and heating equipment as defined in or governed by General Limitation Order L-79, unless hereafter specifically authorized in writing by the War Production Board.

(b) Deliveries of material to William S. Horst, doing business as George T. Sellers' Sons, or otherwise, his or its successors or assigns, shall not be accorded priority over deliveries under any other contract or order, and no preference ratings shall be assigned, applied or extended to such deliveries by means of

preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(c) No allocation, including allotments, shall be made to William S. Horst, doing business as George T. Sellers' Sons, or otherwise, his or its successors or assigns, of any material or product the supply or distribution of which is governed by any order or regulation of the War Production Board, unless hereafter specifically authorized in writing by the War Production Board.

(d) Nothing contained in this order shall be deemed to relieve William S. Horst, doing business as George T. Sellers' Sons, or otherwise, his or its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect June 6, 1944, and shall expire September 6, 1944.

Issued this 31st day of May 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-8203; Filed, June 6, 1944;  
4:28 p. m.]

#### PART 1029—FARM MACHINERY

[Limitation Order L-257, Direction 3]

#### EX-QUOTA PRODUCTION IN SMALL PLANTS FROM SURPLUS MATERIALS

The following direction is issued pursuant to Limitation Order L-257:

(a) *What this direction does.* This direction removes the quota restrictions of Order L-257 for any person (whether or not he is a "producer" as defined in paragraph (b) (1) of L-257), who can make farm machinery and equipment or repair parts in a "small plant" from surplus materials or materials which he can get with a rating of AA-4.

(b) *Conditions on ex-quota production.* You may make any item of farm machinery and equipment or repair parts without regard to quotas if you qualify under all of the following conditions:

(1) *Small plant.* You must make it in a plant employing and continuing to employ 100 production workers or less (50 or less in the critical West Coast labor areas of San Diego, Los Angeles, San Francisco, Portland and Seattle). In addition, if your plant is in one of the above West Coast areas, or in any other Group #1 Labor Market Area where an Area Production Urgency Committee has been established, its total employment of production workers must not be increased by reason of any production under this direction.

(2) *Surplus materials.* You must make the item entirely from materials needing no allotments and no other priorities assistance higher than a rating of AA-4. Under this condition, you may use materials and components which you can buy with that rating. You may also use materials and components which you buy pursuant to a "special sale" under Priorities Regulation 13 (i. e., a sale of material by a person who does not, in the regular course of his business, sell the material in that form), as well as used materials

and components. You may also use surplus material and components from your own inventory if they have been reported as such in detail to your WPB field office and you get written WPB permission to use them. You may not use any material or components in your inventory obtained under allotments or preference ratings (higher than AA-4) for the manufacture of farm machinery and equipment or related repair parts.

(c) *Priorities assistance.* If you need priorities assistance to get any non-controlled materials or components for production under this direction, a rating of AA-4 is hereby assigned for that purpose. You may not use any allotment to get any controlled materials or Class A products which may be needed.

(d) *Scheduling production and delivery.* You may schedule the production of any items you make under this direction as if the orders placed with you for these items bore a rating of AA-2. If you do not need to have an approved production schedule under paragraph (e) of Order L-257, you may also deliver the items without regard to orders rated AA-2x or lower. If you have an approved production schedule under that paragraph, you must indicate any additional production under this direction by filing separate revised schedules.

(e) *Appeals.* If you want an exception from the provisions of paragraph (b) (1) regarding increases in employment, you may appeal under paragraph (j) of Order L-257.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-8241; Filed, June 7, 1944;  
11:25 a. m.]

#### PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-248 as Amended June 7, 1944]

##### COMMERCIAL DISHWASHERS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other metals for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.61 *General Limitation Order L-248—(a) Definitions.* For the purposes of this order:

(1) "Commercial dishwasher" means any new mechanical device designed for washing dishes, cutlery, glassware or kitchen utensils in establishments where food is prepared for consumption or sale on the premises. The term does not include dishwashers designed for domestic use.

(2) "Ultimate consumer" means any person who uses a commercial dishwasher for washing dishes, cutlery, glassware and kitchen utensils.

(3) [Deleted June 7, 1944]

(4) [Deleted June 7, 1944]

(5) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy. It shall include alloy metal produced from scrap.

(b) *Restrictions on production.* (1) No person shall produce any commercial dishwashing equipment except:

(i) For delivery to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration; or

(ii) As authorized by the War Production Board on Form GA-1850.

(2) The restrictions of paragraph (b) (1) do not apply to the production of repair and replacement parts. However, no person shall produce repair or replacement parts in excess of the quantity required to maintain a minimum practicable working inventory.

(3) A person wishing to produce commercial dishwashing equipment which will not be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration, should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref: L-248. This letter should give all pertinent information with respect to proposed production. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by application on Form CMP-4B for the controlled materials.

(4) Production will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements, therefor, will not interfere with war production in that plant, or in any other plant located in the same area. This program calls in each calendar quarter for production by the industry as a whole of not more than 23% of the aggregate production of the industry in the year 1941, in addition to production of repair and replacement parts and of equipment to be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration. Individual authorizations will be issued in amounts sufficient to carry out this program.

(c) *Restrictions on delivery.* No manufacturer, distributor, or dealer may deliver or accept delivery of new commercial dishwashers except as follows:

(1) To fill orders of or for ultimate delivery to the Army, Navy, Maritime Commission or War Shipping Administration, or to any agency of the United

<sup>1</sup> Under Interpretation 1 to the preceding version of this order, material for Army Pre-Flight training schools, to be owned privately and not by the Army, could not be delivered without War Production Board approval. This is still true.



States Government placing orders for equipment to be delivered to, or for the account of, any other country under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or to fill orders authorized by the Maritime Commission on Form WPB-646.

(2) For approved installation in a building or project authorized by any order of the P-19 series on Form CMPL-224 or Form GA-1456, or in the P-55 series on Form WPB-2896.

(3) As approved by the War Production Board on Form WPB-1319. The ultimate consumer should apply to the Plumbing and Heating Division, War Production Board, Washington 25, D. C., on this form, describing the equipment to be delivered. The War Production Board will return a copy to him with its approval or denial of the application indicated. If approval is granted, the ultimate consumer may certify by endorsement on his purchase order in the standard form prescribed in Priorities Regulation 7, adding the serial number of authorization on Form WPB-1319 he has received, or, if he prefers, he may certify as follows:

The War Production Board has authorized me to accept delivery on this order, under the terms of Order L-248 (and L-182) with which I am familiar. Delivery approved on Form WPB-1319, serial number \_\_\_\_\_

(Consumer)

A dealer or distributor receiving an order so certified may obtain delivery of equipment to fill the order if he endorses a similar certificate unless he knows or has reason to believe it to be false. A dealer or distributor who wants to buy for inventory must also apply on Form WPB-1319, filed with the Plumbing and Heating Division, War Production Board, Washington 25, D. C., indicating the manufacturer of the product he wishes to buy. If his application is approved, the procedure to be followed is the same as set forth above with respect to consumers' applications except that he may buy only the product of the manufacturer indicated. Applications for equipment under this order and Order L-182 may be made on a single Form WPB-1319.

(4) Delivery of repair parts may be made as limited in Order L-79.

(5) A dealer or distributor may make delivery to another dealer or distributor or to a manufacturer.

(d) *Delivery of repair and replacement parts.* Nothing in this order shall prevent the delivery of repair or replacement parts for commercial dishwashers.

(e) *Simplified practices.* No person shall manufacture, fabricate or assemble any commercial dishwasher designed for washing cutlery, glassware or kitchen utensils exclusively. No person shall manufacture, fabricate or assemble any other type of commercial dishwasher except in accordance with the specifications and practices given below in this paragraph. However, this paragraph does not revoke or modify the terms of any appeal granted under this order.

(1)

Minimum capacity (dishes per hour)	Maximum content exclusive of motor, switches and wiring (pounds)		Maximum motor size (b. p.)
	Iron and steel	Copper base alloy	
1,500	500	15	3/4
3,500	600	22	2
5,000	1,100	35	3

(2) Body (hood and tanks) shall be manufactured of not heavier than 14 gauge black iron or 14 gauge galvanized iron.

(3) No thermostatic controls shall be used.

(4) Spray pipes, feed pipes, and other piping shall be galvanized iron.

(5) To the extent that copper base alloy castings are permitted by this order, the alloy shall be of a type and grade in the production of which the use of refined copper or refined tin is not necessary.

(6) No metal other than iron, steel or copper base alloy shall be used, except zinc for coating or spraying, and metal necessary for assembling or installing.

(f) *Exceptions from simplified practices.* None of the restrictions in paragraph (e) shall apply to commercial dishwashers manufactured to specifications of the Army, Navy, Maritime Commission or War Shipping Administration of the United States for use on ships.

(g) *Reports.* Every manufacturer of any commercial dishwashers who has an inventory of such equipment, either new or used, shall execute and file with the War Production Board on or before the 10th day of each calendar quarter a report on Form WPB-1509 (formerly PD-638) which may be obtained from the nearest field office of the War Production Board. Reports under this order and Order L-182 may be made on a single Form WPB-1509. The Bureau of the Budget has approved the reporting requirements of this order in accordance with the Federal Reports Act of 1942.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of all the regulations of the War Production Board, as amended from time to time.

(i) *Applicability of other orders.* Insofar as any other order issued, or to be issued hereafter, limits the production or delivery of commercial dishwashers to a

greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(j) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(k) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington (25) D. C., Ref: L-248.

(l) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing and using, materials under priority control and may be deprived of priorities assistance.

(m) *Effective date.* This order, as amended, shall take effect July 1, 1944.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-8245; Filed, June 7, 1944; 11:25 a. m.]

#### PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-248, Revocation of Interpretation 1]

Interpretation 1 to Limitation Order L-248 is superseded by paragraph (c), footnote, of the order as amended June 7, 1944.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-8244; Filed, June 7, 1944; 11:25 a. m.]

#### PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-182, as Amended June 7, 1944]

#### COMMERCIAL COOKING AND FOOD AND PLATE WARMING EQUIPMENT

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of certain critical materials used in the production of commercial cooking and food and plate warming equipment for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3288.46 *General Limitation Order L-182—(a) Definitions.* For the purposes of this order:

(1) "Commercial cooking and food and plate warming equipment" means new equipment (except equipment specially designed to use electricity as the heating agent) designed for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale on the premises in which the equipment is located. It does not include cooking appliances for household use. It does include, but is not limited to, such items as the following:

- Bakers.
- Broilers.
- Fryers.
- Griddles.
- Grills.
- Hot plates.
- Ovens (except built-in types).
- Ranges.
- Roasters.
- Steamers.
- Toasters.
- Urns.
- Warmers.

It also includes new steam-jacketed kettles, regardless of any use to which they may be put, which are designed to use steam at working pressures of less than 90 pounds per square inch, except enamel and glass lined kettles specifically designed for use by the chemical and pharmaceutical industry for the rendering of oils and fats.

(2) "Ultimate consumer" means any person who uses commercial cooking and food and plate warming equipment for the heating of kitchen utensils or plates, or for the cooking or baking of food for consumption or sale.

(b) *Restrictions on production.* (1) No person shall produce any commercial cooking and food and plate warming equipment listed on Schedule I to this order. No person shall produce any other commercial cooking and food and plate warming equipment except:

(i) For delivery to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration; or

(ii) As authorized by the War Production Board on Form GA-1850.

(2) The restrictions of paragraph (b) (1) do not apply to the production of repair and replacement parts, including repair and replacement parts for equipment listed on Schedule I. However, no person shall produce repair or replacement parts in excess of the quantity required to maintain a minimum practicable working inventory.

(3) A person wishing to produce commercial cooking and food and plate warming equipment which will not be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration, should apply for authorization by letter addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Reference L-182. This letter should give all pertinent information with respect to proposed production. Where the applicant will need controlled materials in order to produce the equipment, the letter requesting authorization should be accompanied by

application on Form CMP-4B for the controlled materials.

(4) Production will be authorized so that the total production will not exceed the approved War Production Board program and so that the production in any one plant, or labor requirements therefor, will not interfere with war production in that plant, or in any other plant located in the same area. This program calls in each calendar quarter for production by the industry as a whole of not more than 18% of the aggregate production of the industry in the year 1941, in addition to production of repair and replacement parts and of equipment to be delivered to or for the account of the Army, Navy, Maritime Commission, or War Shipping Administration. Individual authorizations will be issued in amounts sufficient to carry out this program.

(c) *Restrictions on delivery.* No manufacturer, distributor or dealer may deliver or accept delivery of new commercial cooking and food and plate warming equipment except as follows:

(1) To fill orders of or for ultimate delivery to the Army, Navy, Maritime Commission or War Shipping Administration, or to any agency of the United States Government placing orders for equipment to be delivered to or for the account of any other country under the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act) or to fill ship chandlers' or marine distributors' orders authorized by the Maritime Commission on Form WPB-646 and to fill orders for equipment obtained by ship chandlers or marine distributors by the use of Form WPB-646 for delivery only to persons as authorized by that form.

(2) For approved installation in a building or project authorized by any order of the P-19 series on Form CMPL-224 or Form GA-1456, or in the P-55 series on Form WPB-2896.

(3) As approved by the War Production Board on Form WPB-1319. The ultimate consumer should apply to the Plumbing and Heating Division, War Production Board, Washington 25, D. C. on this form, describing the equipment to be delivered. The War Production Board will return a copy to him with its approval or denial of the application indicated. If approval is granted, the ultimate consumer may certify by endorsement on his purchase order in the standard form prescribed in Priorities Regulation 7, adding the serial number of authorization on Form WPB-1319 he has received, or, if he prefers, he may certify as follows:

The War Production Board has authorized me to accept delivery on this order, under the terms of Order L-182 (and L-248) with which I am familiar. Delivery approved on Form WPB-1319, serial number -----

(Consumer)

<sup>1</sup> Under Interpretation 1 to the preceding version of this order, material for Army Pre-Flight training schools, to be owned privately and not by the Army, could not be delivered without War Production Board approval. This is still true.

A dealer or distributor receiving an order so certified may obtain delivery of material to fill the order if he endorses a similar certificate on his purchase order. Any person may deliver in reliance on such a certificate unless he knows or has reason to believe it to be false. A dealer or distributor who wants to buy for inventory must also apply on Form WPB-1319, filed with the Plumbing and Heating Division, War Production Board, Washington 25, D. C., indicating the manufacturer of the product he wishes to buy. If his application is approved, the procedure to be followed is the same as set forth above with respect to consumers' applications, except that he may buy only the product of the manufacturer indicated. Applications for material under this order and Order L-248 may be made on a single Form WPB-1319.

(4) Delivery of repair parts may be made as limited in Order L-79.

(d) *Exceptions.* The restrictions of paragraph (c) do not apply to griddles, hot plates, grills and coffee urns (1 to 3 gallon) provided the net weight of each does not exceed 50 lbs., nor do they apply to coffee makers of any weight. Also, the restrictions of this paragraph do not apply to deliveries by an ultimate consumer to a dealer, or by a dealer to another dealer or manufacturer.

(e) *Reports.* Every manufacturer of any commercial cooking and food and plate warming equipment who has an inventory of such equipment, either new or used, shall execute and file with the War Production Board on or before the 10th day of each calendar quarter a report on Form WPB-1509 (formerly PD-638) which may be obtained from the nearest field office of the War Production Board. Reports under this order and Order L-248 may be made on a single Form WPB-1509. The Bureau of the Budget has approved the reporting requirements of this order in accordance with the Federal Reports Act of 1942.

(f) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(g) *Appeals.* Any appeal from the provisions of this order shall be filed on Form WPB-1477 (formerly PD-500) with the field office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(h) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, except appeals, shall, unless otherwise directed, be addressed to the War Production Board, Plumbing and Heating Division, Washington 25, D. C., Ref. L-182.

(i) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment.

ment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using materials under priority control and may be deprived of priorities assistance.

(j) *Effective date.* This order, as amended, shall take effect July 1, 1944.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE I

Barbecue machines.  
Chicken singers.  
Chop suey ranges (ranges with built-in  
kettles—water and sewer connections).  
Gruller fryers.  
Cup warmers.  
Dish warmers.  
Egg boilers.  
Nut blancher ovens.  
Nut fryers.  
Nut roasters.  
Oyster stoves.  
Peanut roasters.  
Plate warmers.  
Potato chip fryers.  
Roll warmers.  
Rotisseries (revolving spit barbecue ma-  
chine).  
Sausage warmers.  
Waffle irons.  
Warming ovens.

[F. R. Doc. 44-8242; Filed, June 7, 1944;  
11:25 a. m.]

#### PART 3288—PLUMBING AND HEATING EQUIPMENT

[Limitation Order L-182, Revocation of  
Interpretation 1]

Interpretation 1 to Limitation Order  
L-182, issued May 8, 1943, is superseded  
by paragraph c, footnote, to the order  
as amended June 7, 1944.

Issued this 7th day of June 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-8243; Filed, June 7, 1944;  
11:25 a. m.]

Subchapter D—Office of the Rubber Director  
AUTHORITY: Regulations in this subchapter  
issued under sec. 2 (a), 54 Stat. 676, as  
amended by 55 Stat. 236 and 56 Stat. 176;  
E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719;  
W.P.B. Reg. 1 as amended March 24, 1943,  
8 F.R. 3666, 3696; Pri. Reg. 1 as amended May  
15, 1943, 8 F.R. 6727.

#### PART 4600—RUBBER, SYNTHETIC RUBBER, BALATA AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended Jan. 12,  
1944, Amdt. 4]

Rubber Order R-1 as amended Janu-  
ary 12, 1944, is hereby amended by delet-  
ing the last three paragraphs in § 4600.16  
and by substituting therefor the fol-  
lowing:

For items of farm machinery and  
equipment which may be made, requiring  
ties, see Orders L-257 and L-257-a.

Issued this 6th day of June 1944.

RUBBER DIRECTOR,  
WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-8137; Filed, June 6, 1944;  
11:37 a. m.]

#### Chapter XI—Office of Price Administration

##### PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COM- PONENT

[R.O. 1E, Amdt. 9]

##### MILEAGE RATIONING: TIRE REGULATIONS FOR THE TERRITORY OF HAWAII

A rationale accompanying this amend-  
ment, issued simultaneously herewith,  
has been filed with the Division of the  
Federal Register.\*

Ration Order 1E is amended in the  
following respects:

1. Section 6.7 (c) is amended to read  
as follows:

(c) *Transfers on vehicles.* Unless pro-  
hibited by an order or regulation issued  
by the Office of Price Administration or  
the War Production Board a person may,  
without certificate, transfer a tire or  
tube as part of the equipment of a ve-  
hicle in conjunction with the transfer of  
such vehicle: *Provided, however* That a  
tire or tube acquired in exchange for a  
certificate may be so transferred only  
after six (6) months of the acquisition  
of such tire or tube by the transferor,  
or, prior to the expiration of such pe-  
riod, upon the written authorization of  
the Director of the Office of Price Ad-  
ministration for the Territory of Hawaii.  
The Director may authorize a transfer  
in cases where in his judgment it shall  
not operate as an evasion of this order.  
No person shall accept the transfer of  
such tire or tube unless in accordance  
with the provisions of this paragraph.

This amendment shall become effec-  
tive May 31, 1944.

(Pub. Law 871, 76th Cong., E.O. 9125,  
7 F.R. 2719; W.P.B. Dir. 1, 7 F.R. 562, Supp.  
Dir. 1-Q, 7 F.R. 9121, General Order No.  
48, 8 F.R. 2898)

Issued this 6th day of June 1944.

MELVIN C. ROBBINS,  
Territorial Director  
Territory of Hawaii.

Approved:

JAMES P. DAVIS,  
Regional Administrator  
Region IX.

[F. R. Doc. 44-8167; Filed, June 6, 1944;  
12:00 m.]

#### PART 1340—FUEL

[MPR 189, Amdt. 22]

##### BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

A statement of the considerations in-  
volved in the issuance of this amend-  
ment, issued simultaneously herewith,  
has been filed with the Division of the  
Federal Register.\*

Maximum Price Regulation No. 189 is  
amended in the following respects:

\*Copies may be obtained from the Office of  
Price Administration.

\*8 F.R. 12434, 13920, 15378, 17569, 17223;  
9 F.R. 727.

1. In § 1340.313, a new paragraph (g)  
is added to read as follows:

(g) *Maximum prices for deliveries of  
bituminous coal at United States ports  
on the Great Lakes and their connecting  
or tributary waters for direct use as  
bunker fuel.* All such maximum prices  
are in net tons and are f. o. b. vessel.

(1) The maximum price for any grade  
or size of bunker coal delivered to cargo-  
carrying vessels directly through car  
unloading facilities at Lake Erie and  
Lake Ontario ports where cargo coal is  
loaded shall be \$6.25.

*Exception.* For coal delivered by self-  
propelled fuel lighters, \$6.75.

(2) The maximum price for any grade  
or size of run of pile or dock run bunker  
coal delivered to cargo-carrying vessels  
from facilities other than direct car un-  
loading facilities at lower Lake Erie or  
Lake Ontario ports where cargo coal is  
loaded shall be \$6.75.

*Exceptions:* For Chicago, South Chi-  
cago and Waukegan, Illinois, \$7.00 for  
high volatile coals and \$9.00 for District  
No. 7 low volatile nut and \$9.70 for Dis-  
trict No. 7 low volatile run of mine.

(3) The maximum price for any grade  
or size of dock-rescreened bunker coal  
delivered to cargo-carrying vessels from  
facilities other than direct car unload-  
ing facilities at lower Lake Erie or Lake  
Ontario ports shall be \$7.25.

*Exceptions:* For Chicago, South Chi-  
cago and Waukegan, Illinois, \$7.50.

(4) The maximum price for bunker  
coal delivered to cargo-carrying vessels  
from iron ore loading facilities at Lake  
Superior or Lake Michigan ports shall be:

\$7.25 for dock run or run of pile coal;

\$7.75 for any grade or size of coal rescreened  
at the coal loading dock.

(5) The maximum price for bunker  
coal for fishing and towing tugs, scows,  
barges, dredges and other floating equip-  
ment (except cargo-carrying vessels) for  
consumption thereon shall be the above  
applicable maximum price, plus 25 cents  
per ton.

(6) *Permissible additions to the above  
prices.* In addition to the above prices,  
the bunker supplier may add no more  
than 50 cents per net ton for wheeling  
and extra trimming or deliveries by truck.

(7) The provisions of §§ 1340.310 and  
1340.313 (c) (2) (i) shall not apply to  
this paragraph (g)

2. In § 1340.313 (f) (7) the following  
sentence is added.

The provisions of §§ 1340.310 and  
1340.313 (c) (1) (i) shall not apply to  
this paragraph (f)

This amendment shall become effective  
June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th  
Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328,  
8 F.R. 4621)

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8160; Filed, June 6, 1944;  
12:00 m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 629,<sup>1</sup> Amdt. 1]

SECOND HAND PAPERBOARD SHIPPING CONTAINERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 529 is amended in the following respects:

1. Section 1 (a) is amended to read as follows:

(a) *Commodity.* This regulation establishes maximum prices for sales of second hand paperboard shipping containers. The term, "second hand paperboard shipping container," means any used corrugated or solid fibre paperboard shipping containers except fibre drums which is either:

(1) "Reusable," that is, can be used as a shipping container without being repaired, or

(2) "Repairable," that is, can be made reusable by repair or alteration, or

(3) "Reconditioned," that is, has been repaired or altered so as to be reusable.

Any used paperboard shipping container which is not reusable or repairable is wastepaper and is not a second hand paperboard shipping container. Any used container which has an outside surface tear or a hole in the fibre shall not be considered as a reusable or repairable container. Where a container is customarily knocked down flat before reuse, it shall not be considered either repairable or reusable until it has been opened and knocked down. All sales of used or second hand paperboard shipping containers to any person who uses wastepaper as a raw material in any manufacturing process are sales of wastepaper, regardless of the condition of the containers, unless such containers are sold to and used by such person for shipping purposes rather than as a raw material for fabrication into another product. Maximum prices for sales of wastepaper are determined under Maximum Price Regulation No. 30.

This amendment shall become effective June 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

JAMES G. ROGERS, Jr.,  
Acting Administrator

[F. R. Doc. 44-8161; Filed, June 6, 1944; 12:01 p. m.]

\*Copies may be obtained from the Office of Price Administration.  
<sup>1</sup> 9 F.R. 4438.

<sup>2</sup> 7 F.R. 9732; 8 F.R. 3845, 6109, 7350, 7199, 7821, 13049, 17483.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 53,<sup>1</sup> Amdt. 21]

FATS AND OILS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 11.11 is amended to read as follows:

Sec. 11.11 *Loose prime steam lard sold to processors located in basing points.* Where loose prime steam lard is sold and delivered in tankcars or tanktrucks to a processor who is located within the corporate limits of any of the above basing points, and is delivered by the seller from a plant located within the railroad switching limits of the same basing point, the seller may add to the maximum prices hereinabove set forth the railroad switching charge incurred where delivery is in tankcars, or, where delivery is in tanktrucks, an amount, per pound, not greater than the sum that would be charged, per pound, by a railroad carrier for the most comparable switching movement of a tankcar containing 60,000 pounds.

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 44-8159; Filed, June 6, 1944; 12:00 m.]

PART 1381—SOFTWOOD LUMBER

[2d Rev. MPR 19,<sup>2</sup> Amdt. 3]

SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Second Revised Maximum Price Regulation 19 is amended in the following respects:

1. In section 3, the last sentence in the first paragraph is amended to read as follows:

This means all lumber of the species included in the following definitions of shortleaf and longleaf yellow pine (the term lumber as used in this regulation includes mouldings)

2. In section 5 a new paragraph (f) is added as follows:

<sup>1</sup> 9 F.R. 4200, 5314.  
<sup>2</sup> 9 F.R. 1162, 2026.

(f) *Tally card requirement.* Every person selling any Southern pine lumber for direct-mill shipment shall post within the freight car, truck, or other means of transport, a tally card showing the point of origin of the shipment and a complete description of the lumber contained in the shipment including the species, condition, working and the number of pieces of each grade, size and length. Any working, specification or extra which affects the maximum f. o. b. mill prices must be mentioned in the description.

3. In section 6, a new sentence is added at the end of paragraph (e) as follows:

This registration provision does not apply to distribution yards.

4. In section 7 (a) the last sentence is deleted.

5. In section 14 (b) a new subparagraph (3) is added as follows:

(3) Selling as specified lengths or widths a specific lot or shipment of lumber which is substantially equivalent to random lengths or widths, or reselling intact as specified lengths or widths a specific lot or shipment bought by the seller as standard or random lengths or widths, unless specifically permitted in this regulation. This prohibition shall not apply to shipments or deliveries which have been sorted out as to widths and lengths and then resold.

6. In section 14 (b) that part of subparagraph (11) beginning with the words "for example" is amended to read as follows: "for example, the buyer may order 1 x 4 x 12' No. 2 Common Shortleaf, priced at \$38.00 per M'BM ripped to 1 x 2 x 12' By buying the larger size ripped the price to the buyer is lower (\$39.00) than it would have been had he ordered the 1 x 2 as such (\$41.00) In this example the maximum price is \$39.00"

7. Section 17 (a) is amended to read as follows:

(a) See Procedural Regulation No. 6<sup>4</sup> for adjustment provisions on certain government contracts and subcontracts.

8. In section 21 "Southern Pine Association" is corrected to read "Southern Pine Inspection Bureau"

9. In Table 4, footnote 3 is deleted.

10. In Table 6, footnote 2 is deleted.

11. In Table 7, footnote 9 is deleted.

12. In Table 17, footnote 3 is deleted.

13. In Table 19, footnote 2 is deleted.

14. In Table 21, footnote 9 is deleted.

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 44-8158; Filed, June 6, 1944; 11:58 a. m.]

## PART 1404—RATIONING OF FOOTWEAR

[RO 17, Amdt. 62]

## SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 17 is amended in the following respects:

1. Section 1.4 (b) is amended to read as follows:

(b) *Certain residents of Mexico may get special shoe stamps.* (1) Any person who resides in Baja California, Mexico, within 90 kilometers of the border between Mexico and the United States, or in any other part of Mexico within 20 kilometers of the border, may apply for a special stamp to acquire shoes in the United States, if he meets the need requirements of section 1.5. The application shall be made by the applicant, or a duly authorized agent, on OPA Form R-1714, to the Board whose office is nearest his customary point of entry into the United States. One application form shall be filed for each applicant. The application must contain or be accompanied by all information needed to establish the applicant's eligibility. The applicant and the agent, if any, must appear before the Board in person. However, the Board may excuse the applicant's appearance if it finds that this requirement would cause him undue hardship. The application shall be accompanied by a currently valid "immigration document" for the applicant or one on which he is regularly listed or shall contain information necessary to show why he does not have, or is not listed on, such a document. If an "immigration document" is presented, it shall be returned by the Board to the applicant or his agent after the Board has examined it.

(2) If the application is accompanied by the required "immigration document" the Board may issue to the applicant one special shoe stamp (OPA Form R-1708A) if he meets the need requirements of section 1.5 and satisfies the other requirements of subparagraph (1). However, the Board may not issue to the applicant more than one special shoe stamp in any period between the opening validity date of one war ration shoe stamp and the opening validity date of the next war ration shoe stamp. If a second special shoe stamp is applied for in that period, the Board shall forward the application to the District Office together with the Board's recommendations and a statement that the required "immigration document" has been submitted.

(3) If the application is not accompanied by the required "immigration document" the Board shall not grant the application, but shall forward it to

the District Office, together with the Board's recommendations.

(4) If the District Office finds with respect to an application forwarded to it under subparagraph (2) or (3) that the applicant satisfies the need requirements of section 1.5 and the provisions of subparagraph (1) and that he has a currently valid "immigration document" or is regularly listed on one, or that he is not entitled to have or be listed on one, the District Office shall approve the application and return it to the Board with instructions to issue the stamp. If the applicant is not entitled to have, or be listed on, an "immigration document" the District Office shall also instruct the Board to insert the word "waived" on the stamp.

(5) The Board shall insert on each stamp issued under this paragraph the word "Mexico" the date on which the stamp expires (which shall be 30 days from the date of issuance) and the serial number of the "immigration document" if any. The Board shall mark on the "immigration document" the letter "S" and the date of issuance of the stamp.

2. Section 2.7 (e) is added to read as follows:

(e) A dealer, before accepting a special shoe stamp marked "Mexico", shall compare the serial number of each shoe stamp with the corresponding number of each "immigration document" held by the consumer. The dealer may transfer shoes to the consumer only if the number on the special shoe stamp corresponds with the number on the "immigration document" unless the special shoe stamp is marked "waived."

3. Section 2.7 (f) is added to read as follows:

(f) Special shoe stamps issued to residents of Mexico and accepted by an establishment located in an area under the jurisdiction of a District Office located in Lubbock, Texas; San Antonio, Texas; Albuquerque, New Mexico; Phoenix, Arizona or San Diego, California, shall not be further negotiable by the establishment. The establishment may apply to the Board on OPA Form R-1704 for replacement of all such valid stamps that are received by the establishment in accordance with the provisions of this order. A special shoe stamp marked "Mexico" must be surrendered by any establishment described above to the Board within 30 days after the expiration date appearing on the stamp. The Board shall request the District Office to, and the District Office shall, issue a replacement certificate to the establishment on Form R-1705A, for the number of such valid stamps surrendered, which were received by the establishment in accordance with the provisions of this order.

4. Section 2.9 (a) (3) is amended to read as follows:

(3) If the stamp contains an issue date it is valid for 30 days thereafter.

5. Section 2.9 (c) is amended by adding the following:

"However, stamps marked 'Mexico' and received by an establishment within the jurisdiction of a District Office located in Lubbock, Texas; San Antonio, Texas; Albuquerque, New Mexico; Phoenix, Arizona, or San Diego, California, shall not be valid for deposit."

6. The definition of "immigration document" in section 3.13 is added to read as follows:

"Immigration document" means a Border Crossing Identification Card or Passport issued to a non-resident alien, bearing either a visa for entry into the United States or a notification showing that such a visa has been issued. It also includes a U. S. Citizen's Identification Card, passport, or other immigration papers issued to non-resident citizens for entry into Mexico.

This amendment shall become effective July 1, 1944.

NOTE: The record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421 and 507, 77th Cong., WPB Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727, 7440; E.O. 9125, 7 F.R. 2719)

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 44-8163; Filed, June 6, 1944; 11:59 a. m.]

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 3, Amdt. 22]

## SUGAR

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Ration Order 3 is amended in the following respect:

A new item is added to § 1407.243 to read as follows:

§ 1407.243 *Schedule C: Designation of ration periods and weight value of stamps valid thereon.*

Ration period	Stamp valid during ration period	Weight value of stamp
No. 18 (June 16, 1944, to date to be announced by the Office of Price Administration).	Book Four, Sugar Stamp 32.	5 pounds.

This amendment shall become effective June 10, 1944.

\*9 F.R. 1433, 1534, 2233, 2826, 2823, 3031, 3513, 3579, 3847, 3944, 4093, 4350, 4474, 4480, 5229, 5254, 5165, 5426, 5346.

\*Copies may be obtained from the Office of Price Administration.

8 F.R. 15839, 16605, 16996; 9 F.R. 92, 573, 764, 2232, 2656, 2947, 2829, 3340, 3944, 4391, 5254.



(Pub. Law 421, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; War Food Order No. 56, 8 F.R. 2005; War Food Order No. 64, 8 F.R. 7093)

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 44-8166; Filed, June 6, 1944;  
11:59 a. m.]

# PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13, Amdt. 37]

## PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Revised Ration Order 13 is amended in the following respects:

1. Article XXV is amended to read as follows:

### ARTICLE XXV—ACQUISITION OF PROCESSED FOODS BY RESIDENTS OF MEXICO

SEC. 25.1 *Residents of Mexico may acquire processed foods in the United States.* (a) Any "consumer" who resides in Baja California, Mexico, within ninety kilometers of the border between Mexico and the United States, or in any other part of Mexico within twenty kilometers of that border, may apply for points to "acquire" "processed foods" in the United States. The application must be made in person on OPA Form R-183 (Revised) to the "board" whose office is nearest his customary point of entry into the United States. A single application must be made by the applicant for himself and for all members of his family unit (that is, for all persons living in his household who are related to him by blood, marriage, or adoption) who wish to acquire processed foods. An application may be made by a person under eighteen years of age only if he is the head of a household or is not a member of a family unit. However, if an applicant is unable to complete and sign the application or is unable to appear in person before the board, anyone may act for him if the board is satisfied that such person has been given authority to act as agent for the applicant in completing, signing, and presenting the application.

(b) The application must be completed and signed by the applicant or his agent and must show:

(1) The applicant's name, address and age;

(2) The names and ages of all consumers living in his household who are related to him by blood, marriage or adoption and who wish to acquire processed foods in the United States;

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 9 F.R. 3, 104, 574, 695, 765, 848, 1397, 1727, 1817, 1908, 2233, 2234, 2240, 2440, 2567, 2791, 3032, 3073, 3513, 3579, 3708, 3710, 3947, 3944, 4026, 4351, 4475, 4604, 4818, 4876, 4881, 5074, 5254, 5436, 5695.

(3) The serial number of the applicant's "immigration document" and any immigration documents issued for use by the consumers named in the application. The applicant, or his agent must present all such immigration documents to the board at the time the application is made and shall also give any other information that the board may request. The immigration documents shall be returned by the board to the applicant or his agent as soon as the board has examined them.

(c) If the applicant complies with the requirements of paragraphs (a) and (b) the board shall grant the application and shall issue ration cards (OPA Form R-184, Revised) for processed foods as provided in this article.

(d) A consumer who has previously applied on OPA Form R-183 for points to acquire processed foods in the United States is not required to make a new application on OPA Form R-183 (Revised) unless, since the date of his last application, there has been a change in the number or identity of the members of his household related to him by blood, marriage, or adoption who wish to acquire processed foods in the United States. The board will issue ration cards (OPA Form R-184, Revised) for processed foods to such a consumer at any time after July 1, 1944, without requiring a new registration, if the applicant or his agent appears in person at the board and surrenders the expired punch card (OPA Form R-184) issued to him under this article as it read before July 1, 1944, and presents any immigration document issued for use by the consumers named in the card. The immigration documents shall be returned by the board to the applicant or his agent as soon as the board has examined them. If any such punch card has been lost, destroyed or stolen, and the applicant has not received a duplicate card, the board may waive the requirement that such card must be surrendered.

(e) The monthly ration of processed foods for each consumer for whom the application is granted shall not exceed the number of points fixed by the district director for the area in which the applicant's board is located, as provided in paragraph (f) of this section.

(f) Each district director whose area includes a point of entry between Mexico and the United States, shall, on or before July 1, 1944, fix the number of points per month (in multiples of ten) which the respective boards may issue for each consumer for whom rations are granted for the acquisition of processed foods in the United States. The amount of such monthly ration may be changed at any time thereafter by such district director. However, in no event may the monthly ration exceed 50 points per month. In determining the amount of the monthly ration, the district director shall take into consideration the available supply of processed foods in the parts of Mexico adjacent to the customary points of entry in his district.

### SEC. 25.2 *Issuance of ration cards.*

(a) Ration cards (OPA Form R-184, Revised) for processed foods shall be issued

for periods of three calendar months or less. All ration cards (OPA Form R-184, Revised) shall have an earliest renewal date, which shall be the first day after the expiration of the period for which the card is issued. A board may, in its discretion, issue ration cards for any period of time less than three months.

(b) The board shall issue one ration card (OPA Form R-184, Revised) for each consumer or group of consumers for whom an application has been granted. However, if the application is granted for more than four consumers, one additional ration card shall be issued for each additional four consumers or less. The board shall write in the place provided on such cards, the date on which the card is issued, the earliest renewal date and the name and serial number of the immigration documents of the applicant and all other consumers for whom the application is granted. Before issuing a ration card for processed foods, the board shall remove in horizontal strips, starting at the bottom of the card, the requisite number of coupons, so that the card, when issued, will contain coupons only for the number of points for which the application is granted, for the consumers whose names appear on the ration card. The board shall also write upon the immigration document of each consumer for whom rations are granted the letters "P F" and the serial number of the ration card issued for him.

(c) If any consumer for whom a ration card has been issued under this article secures a new immigration document, such ration card may not be used to acquire processed foods in the United States until the applicant or his agent appears in person at the board and presents such ration card and the new immigration document. The board shall delete the serial number of the old immigration document and record in its place the serial number of the new immigration document. The person who records the serial number of the new immigration document must initial the change. He must at the same time record the serial number of the new immigration document on the application (OPA Form R-183 or OPA Form R-183, Revised) for that consumer. The board shall also write upon the new immigration document the letters "P F" and the serial number of the ration card.

(d) A ration card for processed foods shall have no expiration date and may be used at any time by the consumer for whom it is issued or any member of his family unit for the acquisition of processed foods from any "processor", "wholesaler" "retailer" "country shipper" or "grower" in the United States.

(e) On or after the earliest renewal date of a ration card for processed foods, the applicant's board shall issue a new ration card (OPA Form R-184, Revised) if the applicant, or his agent appears in person at the board and returns the cards of the consumers for whom rations were previously issued. (However, if a previously issued card has been lost, destroyed, or stolen, the board may waive the requirement that such card must be returned.) He must also present the

immigration document of each consumer for whom rations are requested. No new application (on OPA Form R-183, Revised) is needed for the issuance of ration cards to replace previously issued ration cards unless, since the date of the last application, there has been a change in the number or identity of the members of applicant's household related to him by blood, marriage or adoption who wish to acquire processed foods in the United States. Acceptance by the applicant of ration cards for succeeding periods shall constitute a representation by the applicant that the consumers for whom rations are requested are the same as those covered on the cards or cards previously issued by the board and that the number of such consumers has not been reduced. New ration cards will be issued for periods of three calendar months or less and no rations may be granted for any period of time which has elapsed since the earliest renewal date of any previously issued ration card.

**Sec. 25.3 Issuance of ration cards to certain applicants by the district office.** (a) Any consumer who resides in Mexico, within the area described in section 25.1 (a) who desires to acquire processed foods in the United States and who is not eligible for rations under any other provisions of this article, or who needs more processed foods than he can get with his ration card (OPA Form R-184, Revised) may apply on OPA Form R-183 (Revised) to the board nearest his customary point of entry into the United States for additional rations. The application must show why the applicant cannot receive a ration card under the other provisions of this article or why he needs more processed foods. A board may not act upon an application under this section, but shall send it, together with all other information received and its recommendations to the district office. If the district office finds that the applicant resides within the area described in section 25.1 (a) and that he does not have and cannot get an immigration document or that his health depends upon his getting more processed foods or that he needs more processed foods than the monthly ration fixed by the district director, it may approve the application and return it to the board with instructions for the issuance of such rations as may be directed by the district office. If the district office finds that the applicant does not have an immigration document it shall instruct the board to insert the word "waived" in the space provided for the serial number of the applicant's immigration document.

**Sec. 25.4 Value and use of coupons by residents of Mexico.** (a) Each coupon on a ration card (OPA Form R-184, Revised) is worth ten points and is good for use as provided in this article for an unlimited time by the consumer or consumers for whom it is issued. A resident of Mexico gives up points when he acquires processed foods in the United States by surrendering coupons from his ration card or tokens. Coupons must be given up at the time the processed foods are acquired and must be detached from the ration card (OPA Form R-184, Re-

vised) in the presence of the person who is selling or transferring the processed foods. Loose coupons may not be used by a resident of Mexico or any other person and they must not be accepted by the seller or transferor. If it is impossible to detach coupons exactly equal to the point value of the processed foods transferred because their point value is not an exact multiple of ten, coupons of the nearest higher point value must be detached and the transferor must return the excess number of points to the consumer in the form of tokens.

**Sec. 25.5 How suppliers may replace inventory of processed foods transferred to residents of Mexico.** (a) A processor, wholesaler, retailer, country shipper, or grower who gets coupons from a resident of Mexico in the way permitted by this article, may not deposit those coupons in his ration bank account or use them to acquire processed foods. He may only surrender such coupons, at any time, to the board for the area in which his establishment is located in exchange for a certificate equal to the point value of the surrendered coupons.

**Sec. 25.6 Surrender of points by suppliers from whom processed foods were acquired before July 1, 1944.** (a) Any retailer, wholesaler, processor, country shipper or grower who was designated as a supplier on punch cards issued before July 1, 1944, to residents of Mexico, must surrender the total number of points he owes, if any, on or before July 10, 1944, to the board for the area in which he is located. (The total number of points which he owes is the total number of points given him by all certificates previously issued to him under this article as it read before July 1, 1944, less the point value of all processed foods transferred by him to residents of Mexico up to July 1, 1944.) He shall, at the same time, give to the board a written statement showing:

(1) The total point value of all such cards issued for the months of May and June 1944;

(2) The total number of unused points left on such cards; and

(3) The total number of points given to him by certificates issued under this article for the months of May and June 1944.

**Sec. 25.7 Records of suppliers from whom processed foods were acquired before July 1, 1944.** (a) Any retailer, wholesaler, processor, country shipper or grower who was designated by an applicant as the supplier from whom processed foods were to be acquired before July 1, 1944, shall maintain and keep at his place of business the cards which he was required to make out for each such applicant before July 1, 1944.

**Sec. 25.8 Records and reports by suppliers who transferred processed foods to residents of Mexico before July 1, 1943.** (a) Any retailer, wholesaler, processor, country shipper or grower to whom a certificate has been issued under this article prior to July 1, 1943, shall maintain and keep at his place of business a record showing the name of each applicant for whom he has received such certificate, the point value of each certi-

cate and of all processed foods transferred against it and the dates of such transfers. Before the 10th day of July 1943, he must give to his board a written statement showing the total point value of all certificates received by him for June 1943 and the total point value of all transfers of processed foods made under such certificates during that month.

2. Section 27.1 (a) (31) is added to read as follows:

(31) "Immigration document", as used in Article XXV of this order, means a border crossing identification card or passport issued to a non-resident alien, bearing either a visa for entry into the United States or a notification showing that such a visa has been issued. It also includes a U. S. Citizen's Identification Card, passport, or other immigration papers issued to non-resident citizens of the United States for entry into Mexico.

This amendment shall become effective July 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005; 9 F.R. 4320; and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8165; Filed, June 6, 1944; 11:53 a. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13; Amdt. 33]

##### PROCESSED FOODS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Revised Ration Order 13 is amended in the following respects:

1. The first sentence of section 6.6 (f) is amended by inserting "(other than those having a zero point value at the time he acquired them)" between the words "at any time after February 28, 1943, acquired processed foods" and the words "without giving up points"

2. The title of Article X is amended to read as follows:

##### ARTICLE X—POINT FREE TRANSFERS—

NOTE: The limitations, restrictions, conditions, record-keeping and reporting requirements set forth in this Article X do not apply to processed foods while they have a

\*Copies may be obtained from the Office of Price Administration.

\*9 F.R. 173, 903, 1181, 2031, 2230, 2553, 2830, 2947, 2930, 3707, 3530, 4542, 4505, 4605, 4883, 4607, 4883.

zero point value. For the purposes of this article, such foods are treated, and may be transferred or acquired, just as if they were not rationed at all.

3. The title of Article XXVI is amended to read as follows:

**ARTICLE XXVI—HOME PROCESSED FOODS**

Note: The limitations (including limitations on amounts of foods which may be transferred), restrictions, conditions, record-keeping and reporting requirements set forth in this Article XXVI do not apply to processed foods while they have a zero point value. For the purposes of this article, such foods are treated, and may be transferred or acquired, just as if they were not rationed at all.

This amendment shall become effective June 10, 1944.

Note: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; War Food Order No. 56, 8 F.R. 2005; 9 F.R. 4320; and War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320)

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 44-8163; Filed, June 6, 1944;  
11:57 a. m.]

**PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS**

[RO 16, Amdt. 142]

**MEAT, FATS, FISH AND CHEESE**

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order 16 is amended in the following respects:

1. Article XXV is amended to read as follows:

**ARTICLE XXV—ACQUISITION OF FOODS COVERED BY THIS ORDER BY RESIDENTS OF MEXICO**

SEC. 25.1 *Residents of Mexico may acquire foods covered by this order in the United States.* (a) Any "consumer" who resides in Baja California, Mexico, within ninety kilometers of the border between Mexico and the United States, or in any other part of Mexico within twenty kilometers of that border, may apply for points to "acquire" foods covered by this order in the United States. The application must be made in person on OPA Form R-183 (Revised)

\*Copies may be obtained from the Office of Price Administration.

8 F.R. 13128, 13394, 13980, 14399, 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16506, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1818, 1909, 2235, 2240, 2406, 2568, 2406, 2787, 3033, 3034, 3034, 3073, 2830, 3073, 3514, 3580, 3707, 3708, 3848, 3944, 3746, 4099, 4107, 4612, 4818, 4881, 4876, 5074.

to the "board" whose office is nearest his customary point of entry into the United States. A single application must be made by the applicant for himself and for all members of his family unit (that is, for all persons living in his household who are related to him by blood, marriage, or adoption) who wish to acquire foods covered by this order. An application may be made by a person under eighteen years of age only if he is the head of a household or is not a member of a family unit. However, if an applicant is unable to complete and sign the application or is unable to appear in person before the board, anyone may act for him if the board is satisfied that such person has been given authority to act as agent for the applicant in completing, signing, and presenting the application.

(b) The application must be completed and signed by the applicant or his agent and must show:

(1) The applicant's name, address and age;

(2) The names and ages of all consumers living in his household who are related to him by blood, marriage or adoption and who wish to acquire foods covered by this order in the United States;

(3) The serial number of the applicant's "immigration document" and any immigration documents issued for use by the consumers named in the application. The applicant, or his agent must present all such immigration documents to the board at the time the application is made and shall also give any other information that the board may request. The immigration documents shall be returned by the board to the applicant or his agent as soon as the board has examined them.

(c) If the applicant complies with the requirements of paragraphs (a) and (b) the board shall grant the application and shall issue ration cards (OPA Form R-185, Revised) for foods covered by this order as provided in this article.

(d) A consumer who has previously applied on OPA Form R-183 for points to acquire foods covered by this order in the United States is not required to make a new application on OPA Form R-183 (Revised) unless, since the date of his last application, there has been a change in the number or identity of the members of his household related to him by blood, marriage or adoption who wish to acquire foods covered by this order in the United States. The board will issue ration cards (OPA Form R-185, Revised) for foods covered by this order to such a consumer at any time after July 1, 1944, without requiring a new registration, if the applicant or his agent appears in person at the board and surrenders the expired punch card (OPA Form R-185) issued to him under this article as it read before July 1, 1944, and presents any immigration document issued for use by the consumers named in the card. The immigration documents shall be returned by the board to the applicant or his agent as soon as the board has examined them. If any such punch card has been lost, destroyed or stolen, and the applicant has not received a duplicate card, the board may waive the requirement that such card must be surrendered.

(e) The monthly ration of foods covered by this order for each consumer for whom the application is granted shall not exceed the number of points fixed by the district director for the area in which the applicant's board is located, as provided in paragraph (f) of this section.

(f) Each district director whose area includes a point of entry between Mexico and the United States, shall, on or before July 1, 1944, fix the number of points per month (in multiples of ten) which the respective boards may issue for each consumer for whom rations are granted for the acquisition of foods covered by this order in the United States. The amount of such monthly ration may be changed at any time thereafter by such district director. However, in no event may the monthly ration exceed 30 points per month. In determining the amount of the monthly ration, the district director shall take into consideration the available supply of foods covered by this order in the parts of Mexico adjacent to the customary points of entry in his district.

**SEC. 25.2 Issuance of ration cards.**

(a) Ration cards (OPA Form R-185 Revised) for foods covered by this order shall be issued for periods of three calendar months or less. All ration cards (OPA Form R-185, Revised) shall have an earliest renewal date, which shall be the first day after the expiration of the period for which the card is issued. A board may, in its discretion, issue ration cards for any period of time less than three months.

(b) The Board shall issue one ration card (OPA Form R-185, Revised) for each consumer or group of consumers for whom an application has been granted. However, if the application is granted for more than four consumers, one additional ration card shall be issued for each additional four consumers or less. The board shall write in the place provided on such cards, the date on which the card is issued, the earliest renewal date and the name and serial number of the immigration documents of the applicant and all other consumers for whom the application is granted. Before issuing a ration card for foods covered by this order, the board shall remove in horizontal strips, starting at the bottom of the card, the requisite number of coupons, so that the card, when issued, will contain coupons only for the number of points for which the application is granted, for the consumers whose names appear on the ration card. The board shall also write upon the immigration document of each consumer for whom rations are granted the letters "M. F." and the serial number of the ration card issued for him.

(c) If any consumer for whom a ration card has been issued under this article secures a new immigration document, such ration card may not be used to acquire foods covered by this order in the United States until the applicant or his agent appears in person at the board and presents such ration card and the new immigration document. The board shall delete the serial number of the old immigration document and record in its place the serial number of the new immigration document. The

person who records the serial number of the new immigration document must initial the change. He must at the same time record the serial number of the new immigration document on the application (OPA Form R-183 or OPA Form R-183, Revised) for the consumer. The board shall also write upon the new immigration document the letters "M. F." and the serial number of the ration card.

(d) A ration card for foods covered by this order shall have no expiration date and may be used at any time by the consumer for whom it is issued or any member of his family unit for the acquisition of foods covered by this order from any "retailer" "wholesaler" or "primary distributor" in the United States.

(e) On or after the earliest renewal date of a ration card for foods covered by this order, the applicant's board shall issue a new ration card (OPA Form R-185, Revised) if the applicant, or his agent appears in person at the board and returns the cards of the consumers for whom rations were previously issued. (However, if a previously issued card has been lost, destroyed, or stolen, the board may waive the requirement that such card must be returned.) He must also present the immigration document of each consumer for whom rations are requested. No new application (on OPA Form R-183, Revised) is needed for the issuance of ration cards to replace previously issued ration cards unless, since the date of the last application, there has been a change in the number or identity of the members of applicant's household related to him by blood, marriage or adoption who wish to acquire foods covered by this order in the United States. Acceptance by the applicant of ration cards for succeeding periods shall constitute a representation by the applicant that the consumers for whom rations are requested are the same as those covered on the card or cards previously issued by the board and that the number of such consumers has not been reduced. New ration cards will be issued for periods of three calendar months or less and no rations may be granted for any period of time which has elapsed since the earliest renewal date of any previously issued ration card.

Sec. 25.3 *Issuance of ration cards to certain applicants by the district office.*

(a) Any consumer who resides in Mexico, within the area described in section 25.1 (a) who desires to acquire foods covered by this order in the United States and who is not eligible for rations under any other provisions of this article, or who needs more rations than he can get with his ration card (OPA Form R-185, Revised) may apply on OPA Form R-183 (Revised) to the board nearest his customary point of entry into the United States for additional rations. The application must show why the applicant cannot receive a ration card under the other provisions of this Article or why he needs more rations. A board may not act upon an application under this section but shall send it, together with all other information received and its recommendations, to the district office. If the district office finds that

the applicant resides within the area described in section 25.1 (a) and that he does not have and cannot get an immigration document or that his health depends upon his getting more foods covered by this order or that he needs more foods than the monthly ration fixed by the district director, it may approve the application and return it to the board with instructions for the issuance of such rations as may be directed by the district office. If the district office finds that the applicant does not have an immigration document it shall instruct the board to insert the word "waived" in the space provided for the serial number of the applicant's immigration document.

Sec. 25.4 *Value and use of coupons by residents of Mexico.* (a) Each coupon on a ration card (OPA Form R-185, Revised) is worth ten points and is good for use as provided in this article for an unlimited time by the consumers for whom it is issued. A resident of Mexico gives up points when he acquires foods covered by this order in the United States by surrendering coupons from his ration card or tokens. Coupons must be given up at the time the foods are acquired and must be detached from the ration card (OPA Form R-185, Revised) in the presence of the person who is selling or transferring the foods. Loose coupons may not be used by a resident of Mexico or any other person and they must not be accepted by the seller or transferor. If it is impossible to detach coupons exactly equal to the point value of the foods transferred because their point value is not an exact multiple of ten, coupons of the nearest higher point value must be detached and the transferor must return the excess number of points to the consumer in the form of tokens.

Sec. 25.5 *How suppliers may replace inventory of foods covered by this order transferred to residents of Mexico.* (a) A retailer, wholesaler, or primary distributor who gets coupons from a resident of Mexico in the way permitted by this article, may not deposit those coupons in his ration bank account or use them to acquire foods covered by this order. He may only surrender such coupons, at any time, to the board for the area in which his establishment is located in exchange for a certificate equal to the point value of the surrendered coupons.

Sec. 25.6 *Surrender of points by suppliers from whom foods covered by this order were acquired before July 1, 1944.* (a) Any retailer, wholesaler, or primary distributor who was designated as a supplier on punch cards issued before July 1, 1944, to residents of Mexico, must surrender the total number of points he owes, if any, on or before July 10, 1944, to the board for the area in which he is located. (The total number of points which he owes is the total number of points given him by all certificates previously issued to him under this article as it read before July 1, 1944, less the point value of all foods covered by this order transferred by him to residents of Mexico up to July 1, 1944.) He shall, at the same time, give to the board a written statement showing:

(1) The total point value of all such cards issued for the months of May and June 1944;

(2) The total number of unused points left on such cards; and

(3) The total number of points given to him by certificates issued under this article for the month of May and June 1944.

Sec. 25.7 *Records of suppliers from whom foods covered by this order were acquired before July 1, 1944.* (a) Any retailer, wholesaler, or primary distributor who was designated by an applicant as the supplier from whom foods covered by this order were to be acquired before July 1, 1944, shall maintain and keep at his place of business the cards which he was required to make out for each such applicant before July 1, 1944.

Sec. 25.8 *Records and reports by suppliers who transferred foods covered by this order to residents of Mexico before July 1, 1943.* (a) Any retailer, wholesaler, or primary distributor to whom a certificate has been issued under this article prior to July 1, 1943, shall maintain and keep at his place of business a record showing the name of each applicant for whom he has received such certificate, the point value of each certificate and of all foods covered by this order transferred against it and the dates of such transfers. Before the 10th day of July, 1943, he must give to his board a written statement showing the total point value of all certificates received by him for June 1943 and the total point value of all transfers of foods covered by this order made under such certificates during that month.

2. The definition of "immigration document" is added as follows to the definitions in section 24.1 (a)

"Immigration document" as used in Article XXV of this order, means a border crossing identification card or passport issued to a non-resident alien, bearing either a visa for entry into the United States or a notification showing that such a visa has been issued. It also includes a U. S. citizen's identification card, passport or other immigration papers issued to non-resident citizens of the United States for entry into Mexico.

This amendment shall become effective July 1, 1944.

Note: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 78th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WFB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005, 9 F.R. 4330; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8164; Filed, June 6, 1944;  
11:53 a. m.]

## PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16; Amdt. 143]

## MEAT, FATS, FISH AND CHEESE

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order 16 is amended in the following respects:

1. The second sentence of section 2.2 (b) is amended by inserting between the words "such foods" and the words "at any one time" the words "(other than foods which have a zero point value at the time of the loan)"

2. Section 2.7 (a) is amended by deleting the words "fresh fish, fresh milk, poultry" and inserting in lieu thereof the words "fresh milk"

3. Section 2.7 (b) (2) is amended by deleting the words "fresh fish, fresh milk, poultry" and inserting in lieu thereof "fresh milk"

4. Section 2.7 (b) (3) is amended by deleting the words "fresh fish, fresh milk, poultry" and inserting in lieu thereof "fresh milk"

5. Section 2.7 (b) (7) is amended by deleting the words "fresh fish and poultry, fresh milk," and inserting in lieu thereof the words "fresh milk"

6. Section 2.7 (d) is amended by deleting from the third sentence thereof the words "fresh fish, fresh milk, poultry" and inserting in lieu thereof "fresh milk"

7. The title of Article III is amended to read as follows:

## ARTICLE III—HOME PRODUCERS

NOTE: The limitations (including limitations on amounts of foods which may be transferred), restrictions, conditions, record-keeping and reporting requirements set forth in this Article III do not apply to foods covered by this order while they have a zero point value. For the purposes of this article, such foods are treated and may be transferred or acquired, just as if they were not rationed at all.

8. The first sentence of section 7.6 (f) is amended by inserting between the words "after March 28, 1943" and the words "without giving up points" the words "(other than those having a zero point value at the time he acquired them)"

9. Section 10.10 (a) is amended by deleting the word "However," at the beginning of the last sentence and by adding the following sentence at the end of the paragraph: "However, he need not give up points for pork, veal, lamb, mutton or for cuts of beef which have a zero point value or for cuts of beef which contain only beef which has a zero point value."

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 13128, 13394, 13980, 14399; 14623, 14764, 14845, 15253, 15454, 15524, 16160, 16161, 16260, 16263, 16424, 16527, 16606, 16695, 16739, 16797, 16855, 17326; 9 F.R. 104, 106, 220, 403, 677, 695, 849, 1054, 1532, 1581, 1728, 1818, 1909, 2235, 2240, 2406, 2568, 2787, 2830, 3033, 3034, 3073, 3514, 3480.

10. The title of Article XI is amended to read as follows:

## ARTICLE XI—POINT FREE TRANSFERS

NOTE: The limitations, restrictions, conditions, record-keeping and reporting requirements set forth in this article XI do not apply to foods covered by this order while they have a zero point value. For the purposes of this article, such foods are treated and may be transferred or acquired, just as if they were not rationed at all.

11. Section 22.10 is revoked.

This amendment shall become effective June 10, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong., E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Directive 1, 7 F.R. 562; and Supp. Dir. 1-M, 7 F.R. 8234; War Food Order No. 56, 8 F.R. 2005; 9 F.R. 4320; War Food Order No. 58, 8 F.R. 2251, 9 F.R. 4320; War Food Order No. 59, 8 F.R. 3471, 9 F.R. 4320; War Food Order No. 61, 8 F.R. 3471, 9 F.R. 4320)

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 44-8162; Filed, June 6, 1944;  
11:57 a. m.]

## PART 1418—TERRITORIES AND POSSESSIONS

[GMPR for Hawaii, Amdt. 4]

## MODIFICATION OF MAXIMUM PRICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

The General Maximum Price Regulation for the Territory of Hawaii is amended in the following respects:

1. A new section 1a is added to read as follows:

Sec. 1a. *Modification of provisions for the sale or delivery of any commodity in the Island of Hawaii.* (a) Any person who sells or delivers any commodity in the Island of Hawaii shall comply with all provisions of this regulation, except that:

(1) In section 2, he shall substitute the date February, 1944 for the date April, 1942, wherever it appears, and the date March 1, 1944 for the date May 1, 1942.

(2) In section 3 (a) (2), he shall substitute the date February, 1944 for the date April, 1942.

(3) In section 5 (a) he shall substitute the date February, 1944 for the date April, 1942.

(4) In section 7 (a) he shall substitute the date April 24, 1944 for the date May 28, 1942.

(5) In section 8 (a) (1) he shall substitute the date April, 1944 for the date April, 1942, wherever it appears.

\* 8 F.R. 5307, 6362, 14765, 15585.

(6) In section 8 (a) (2) he shall substitute the date April 30, 1944, for the date April 30, 1942.

(7) In section 11, he shall substitute the date February, 1944 for the date April, 1942, wherever it appears, and the date May 1, 1944 for the date August 1, 1942.

(8) In section 13, he shall substitute the date June 1, 1944 for the date June 18, 1942, and the date June 1, 1944 for the date August 1, 1942.

(9) In section 20 (a) (4) he shall substitute the date February, 1944 for the date April, 1942.

2. Section 3 (a) (1) is amended by deleting the last sentence and substituting therefor the sentence "The price so reported shall be subject to adjustment at any time by order of the Director of the Office of Price Administration for the Territory of Hawaii."

3. Section 3 (a) (2) is amended by deleting the first sentence and substituting therefor the sentence "In case of a sale other than at wholesale or retail of a commodity, the maximum price shall be a price determined by the seller after specific authorization from the Director of the Office of Price Administration for the Territory of Hawaii."

4. Section 3 (a) (3) is amended to read as follows:

(3) In the case of a sale at wholesale or retail of a commodity which cannot be priced under paragraph (a) of this section, the maximum price shall be a price determined by the seller after specific authorization by the Director of the Office of Price Administration for the Territory of Hawaii. A seller who seeks an authorization to determine a maximum price under the provisions of this paragraph shall file with the office of the Office of Price Administration for the district in which his principal place of business is located an application setting forth (i) a description of the commodity or commodities for which a maximum price is sought; (ii) a statement of the reasons why such commodity or commodities cannot be priced under section 2 or 3 (a) of this General Maximum Price Regulation; and (iii) any other facts which the seller wishes to submit in support of the application. The seller shall also submit such additional pertinent information as the Office of Price Administration may require. Such authorization will be given in the form of an order prescribing a method of determining the maximum price for the applicant or for sellers of the commodity generally including purchasers for resale, or for a class of such sellers.

This amendment shall become effective as of April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator.

[F. R. Doc. 44-8167; Filed, June 6, 1944;  
11:59 a. m.]



**PART 1499—COMMODITIES AND SERVICES**  
[Rev. SR 14 to GMPR, Amdt. 138]

**MEAT AND MEAT PRODUCTS**

The statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Section 7.8 (b) of Revised Supplementary Regulation No. 14 is hereby revoked.

This amendment shall become effective June 12, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 44-8156; Filed, June 6, 1944;  
11:57 a. m.]

**PART 1389—APPAREL**

[RMFR 506, Amdt. 1]

**STAPLE WORK GLOVES**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation 506 is amended in the following respects:

1. Section 6 (a) is amended to read as follows:

**Sec. 6. Marking of gloves—(a) Marking required at retail.** Every person is forbidden to sell or offer to sell at retail or display in a retail store any pair of staple work gloves which is not marked as required by this section. If any part of the required marking has not been performed by the manufacturer, it must be supplied by the retailer.

(1) On and after June 21, 1944, the marking must show the retail ceiling price.

(2) On and after September 15, 1944, the marking must show, in addition to the retail ceiling price, the manufacturer's lot number or brand name for the glove and a statement of defects (if any)

2. The first sentence of section 6 (b) is amended to read as follows:

(b) *Marking and information required of manufacturers.* Every manufacturer is forbidden to deliver any pair of work gloves which is put into the process of manufacture on or after August 6, 1944, unless it contains markings showing the manufacturer's lot number or brand name for the glove, and a statement of defects (if any)

3. In section 6, a new paragraph (e) is added to read as follows:

(e) *Exceptions to marking requirements.* (1) Industrial users need not attach the markings required by this section to any gloves which they sell to

\*Copies may be obtained from the Office of Price Administration.

19 F.R. 6772.

their employees at or below the net prices actually paid by the industrial user plus any charges for transportation actually paid by him. On all other sales by industrial users to their employees the industrial user is required to mark only the retail ceiling price.

(2) On sales and deliveries by manufacturers to industrial users it is not necessary to attach the required markings to each pair of gloves. In such cases, the seller may place the required markings on the package, wrapper or other container in which the gloves are packed.

4. Section 7 (d) (3) is amended to read as follows:

(3) A description of each pair of gloves bearing a different lot number or brand name, similar to the description in Appendix A, or some identifying reference to the description set forth in the "retail ceiling price list" (described in section 6 (b)) previously supplied the same purchaser for the same lot number or brand name.

5. In the example in section 9 (f) the figure "17c" in the description column is amended to read "21c"

6. In Table 2 of Appendix A, the reference to footnote number 4 is deleted after the following items:

Quilted palm, Double safety, Men's 18 oz. palm, 8 oz. stripe back, with turtle neck;

Quilted palm, Double safety, Men's 18 oz. palm, 10 oz. white back, with turtle neck;

Processed palm, Double safety, Men's 18 oz. material palm, 8 oz. stripe back, with turtle neck;

Processed palm, Double safety, Men's 18 oz. material palm, 10 oz. white back, with turtle neck.

This amendment shall become effective June 6, 1944.

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 44-8203; Filed, June 6, 1944;  
4:41 p. m.]

**PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT**

[MPR 136, Amdt. 118]

**TEXTILE BOBBINS AND SPOOLS**

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 1390.25 (a) (44) is amended to read as follows:

(44) *Textile bobbins and spools.* Notwithstanding any other provisions of this regulation, the manufacturers' maximum prices for textile bobbins and spools calculated under this regulation apart from this subparagraph shall be increased to 9% above their base date (October 1, 1941) net prices.

Payment at the maximum prices established herewith may be made and

received, or completed, for bobbins and spools delivered under the terms of adjustable pricing agreements effected pursuant to § 1390.25a (a) (4) of this regulation.

This amendment shall become effective June 6, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 44-8207; Filed, June 6, 1944;  
4:41 p. m.]

**TITLE 19—CUSTOMS DUTIES**

**Chapter I—Bureau of Customs**

[T. D. 51072]

**PART 52—REGULATIONS UNDER TRADING WITH THE ENEMY ACT**

**RELEASE OF ART OBJECTS FROM CUSTOMS CUSTODY**

JUNE 8, 1944.

Regulations under sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended, relative to the release of art objects from customs custody which have been imported after March 12, 1938.

The following regulations are prescribed under the authority of sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended, with respect to the release of art objects from customs custody:

**Sec.**

52.12 Prohibitions against release of imported art objects.

52.13 Requirements for release of art objects.

52.14 Definition of art objects.

**AUTHORITY:** §§ 52.12 to 52.14, inclusive, issued under secs. 3 (a), 5 (b), Trading With the Enemy Act; 40 Stat. 412, 415, as amended; 50 U.S.C. App. and Supp. 3, and 12 U.S.C. and Supp. 953.

§ 52.12 *Prohibitions against release of imported art objects.* No art object hereafter imported from any foreign country, except one which constitutes a part of the United Kingdom, the British Dominions, or British Colonies, and no art object which is now in customs custody which was imported after March 12, 1938 from any foreign country except one which constitutes a part of the United Kingdom, the British Dominions, or British Colonies, shall be released from customs custody, whether for consumption or exportation, or shall be sold or forfeited under the customs laws and regulations, unless such release, sale, or forfeiture has been licensed or otherwise authorized by the Secretary of the Treasury.

§ 52.13 *Requirements for release of art objects.* (a) Persons seeking release of any such art object from customs custody for consumption or exportation shall file

an application on Form TFE-1 in duplicate in the manner prescribed in §130.3 of the Regulations issued under Executive Order No. 8389, as amended. Form FFC 168 must be filled out and attached to the application.

(b) With respect to art objects in customs custody which are subject to sale or forfeiture under the customs laws and regulations, the Collector of Customs concerned shall file a report in duplicate on Form FFC 168 with Foreign Funds Control, Treasury Department, Unit 244, Washington, D. C.

§ 52.14 *Definition of art objects.* As used herein, the term "art object" shall include any of the following, if there is reasonable cause to believe that the article or lot of articles included in one importation, export shipment, or sale lot (a) is worth \$5,000 or more, or (b) is of artistic, historic, or scholarly interest irrespective of monetary value:

- (1) Paintings in oil, mineral, water, or other colors, tempera, pastels, drawings and sketches in pen, ink, pencil, or water colors, engravings, woodcuts, prints, lithographs, miniatures;
- (2) Statuary, sculptures;
- (3) Chinaware, glassware, pottery, porcelain;
- (4) Rugs, tapestries, laces, and other textiles;
- (5) Jewelry, metalwork;
- (6) Books, manuscripts, archival materials and records;
- (7) Furniture;
- (8) Curios.

The provisions hereof shall be effective on and after June 8, 1944.

[SEAL] HERBERT E. GASTON,  
Acting Secretary of the Treasury.

[F. R. Doc. 44-8209; Filed, June 6, 1944;  
4:59 p. m.]

## TITLE 36—PARKS AND FORESTS

### Chapter I—National Park Service

#### PART 31—RULES AND REGULATIONS GOVERNING THE PROCEDURE AND BUSINESS OF THE NATIONAL PARK TRUST FUND BOARD

Pursuant to the authority contained in the Act of July 10, 1935 (49 Stat. 477) the following rules and regulations are adopted and promulgated to govern the procedure and business of the National Park Trust Fund Board.

Sec.

- 31.1 Definition.
- 31.2 Officers.
- 31.3 Meetings; duties of officers.
- 31.4 Donations.
- 31.5 Acceptance of donations.
- 31.6 Disposition of income.

AUTHORITY: §§ 31.1 to 31.6 inclusive, issued under 49 Stat. 477; 16 U.S.C. 19.

§ 31.1 *Definition.* As used in the regulations in this part, the term "Board" means the National Park Trust Fund Board.

§ 31.2 *Officers.* The Secretary of the Interior shall be the Chairman of the Board, and the Director of the National Park Service shall be the Secretary.

§ 31.3 *Meetings; duties of officers.*

(a) The Chairman may call meetings of the Board at such times and places as he may determine upon due notice to all members. The Chairman shall preside at the meetings, and in the temporary absence or disability of the Chairman the members present shall select a temporary Chairman to act in his stead.

(b) The Secretary shall keep a complete and accurate record of all meetings of the Board, and shall be the custodian of the records of the Board and of its seal. It shall be the duty of the Secretary to attest under the seal of the Board all certified copies of the official records of the Board that may be required. The Secretary shall prepare and submit to the Congress on behalf of the Board an annual report of the moneys or securities received and held by the Board and of its activities.

§ 31.4 *Donations.* Trust funds in the form of money, securities, or other personal property may be given or bequeathed to the National Park Trust Fund in form substantially as follows: "To the United States of America, to be held and administered by the National Park Trust Fund Board, for the benefit of, or in connection with, the National Park Service, its activities, or its services." The donor may, if he or she so desires, specify a particular purpose or purposes for which the gift or bequest is made: *Provided, however* That the Board may reject any gift or bequest which entails any terms or conditions unacceptable to the Board.

§ 31.5 *Acceptance of donations.* (a) Gifts or bequests may be accepted on behalf of the Board upon the written approval of three of its members.

(b) The Director of the National Park Service may, as a member and Secretary of the Board, accept on behalf of the Board any gift or bequest not exceeding \$250 in amount.

(c) Upon the acceptance of any gift or bequest, it shall be the duty of the Secretary to record the same in the records of the Board, showing the nature and amount thereof, and the name of the donor. The Secretary shall advise the donor or his representative of the Board's acceptance of the gift or bequest.

§ 31.6 *Disposition of income.* Unless otherwise restricted by the instrument of gift or bequest, the income derived from any gift or bequest heretofore or hereafter accepted by the Board shall be subject to disbursement by the Division of Disbursement, Treasury Department, on the basis of certified vouchers of the Director of the National Park Service, for the benefit of, or in connection with, the National Park Service, its

activities, or its services, as authorized by a resolution of the Board.

Issued this 7th day of February 1944.

NATIONAL PARK TRUST

FUND BOARD,

HAROLD L. ICKES,

Member

NEWTON B. DRURY,

Member

LOUIS HERTLE,

Member.

J. HORACE MCFARLAND,

Member.

HENRY MORGENTHAU, Jr.,

Member

[F. R. Doc. 44-8228; Filed, June 7, 1944;  
10:33 a. m.]

## TITLE 41—PUBLIC CONTRACTS

### Chapter I—Procurement Division, Department of the Treasury

#### PART 4—SUPPLIES TO BE PROCURED BY THE PROCUREMENT DIVISION

##### TYPEWRITERS

Paragraph (h) of § 4.1 *Exclusive procurement by Procurement Division; commodities* (41 C.F.R. Cum. Supp., Part 4), is hereby amended by read as follows:

(h) *Typewriters.* Typewriters, new and used, but excluding requirements of the War and Navy Departments, the Marine Corps and the Maritime Commission.

Dated: June 5, 1944.

(Sec. 1, E.O. 6166, June 10, 1933, sec. 2, Director's Order 73, approved by the President June 10, 1939 (41 CFR 1.2, 3.2) Procurement Division Circular Letter: B-Series, No. 13, effective May 15, 1944)

CLIFTON E. MACK,  
Director of Procurement.

[F. R. Doc. 44-8170; Filed, June 6, 1944;  
1:00 p. m.]

## TITLE 46—SHIPPING

### Chapter III—War Shipping Administration

#### PART 302—CONTRACTS WITH VESSEL OWNERS AND RATES OF COMPENSATION RELATING THERETO

[G. O. 11, Supp. 2, Correction]

##### UNIFORM ADDENDUM TO TIME CHARTER COVERING ADJUSTMENTS OF CERTAIN DISPUTES

The designation of regulations of United States Coast Guard (46, U. S. C. R.) appearing in paragraph *Fourth* in Uniform Addendum to Time Charter Covering Adjustments of Certain Disputed Questions as prescribed by § 302.57, published in the FEDERAL REGISTER for Friday, March 31, 1944 at page 3464, is corrected by striking out the words and figures, "sub-chapter O of chapter 11" and inserting in lieu thereof the words and figures "sub-chapter O of Chapter I"

Reference heretofore or hereafter made to paragraph *Fourth* shall be deemed to refer to said paragraph *Fourth* as corrected above.

[SEAL] A. J. WILLIAMS,  
Secretary.

JUNE 7, 1944.

[F. R. Doc. 44-8248; Filed, June 7, 1944;  
11:59 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### General Land Office.

#### NEW MEXICO

#### REDUCTION OF STOCK DRIVEWAY WITHDRAWALS

Stock Driveway Withdrawals Nos. 58 and 81, New Mexico Nos. 7 and 12, reduced.

The orders of the Secretary of the Interior of February 4 and April 29, 1919, and June 24, 1920, establishing Stock Driveway Withdrawal No. 58, New Mexico No. 7, and establishing and modifying Stock Driveway Withdrawal No. 81, New Mexico No. 12, under section 10 of the act of December 29, 1916, 39 Stat. 865, 43 U.S.C. 300, are hereby revoked so far as they affect the following-described lands, which are within New Mexico Grazing District No. 1.

#### NEW MEXICO PRINCIPAL MERIDIAN

T. 25 N., R. 4 E.,  
Sec. 11, NW $\frac{1}{4}$ .  
T. 26 N., R. 4 E.,  
Sec. 3, W $\frac{1}{2}$ ,  
Sec. 4, E $\frac{1}{2}$ ,  
Sec. 10, W $\frac{1}{2}$ ,  
Sec. 15, W $\frac{1}{2}$ ,  
Sec. 22, E $\frac{1}{2}$  and NW $\frac{1}{4}$ .  
T. 27 N., R. 4 E.,  
Sec. 33, N $\frac{1}{2}$  and NW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 24 N., R. 3 W.,  
Sec. 4, N $\frac{1}{2}$ .  
T. 25 N., R. 3 W.,  
Sec. 14, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
and SE $\frac{1}{4}$ .

The areas described, including both public and nonpublic lands, aggregate 2931.14 acres.

This order shall not otherwise become effective to change the status of the lands until 10:00 a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L. D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior  
MAY 29, 1944.

[F. R. Doc. 44-8229; Filed, June 7, 1944;  
10:33 a. m.]

No. 114—6

### ARIZONA

#### REDUCTION OF STOCK DRIVEWAY WITHDRAWAL

Stock Driveway Withdrawal No. 114, Arizona No. 5, reduced.

The order of the First Assistant Secretary of the Interior of April 15, 1929, enlarging Stock Driveway Withdrawal No. 114, Arizona No. 5, under section 10 of the act of December 29, 1916, 39 Stat. 865, 43 U. S. C. 300, is hereby revoked so far as it affects the following-described lands, which are within Arizona Grazing District No. 1.

#### GILA AND SALT RIVER MERIDIAN

T. 34 N., R. 7 W.,  
Sec. 6, W $\frac{1}{2}$ E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ,  
Sec. 7, W $\frac{1}{2}$ E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ,  
Sec. 17, SW $\frac{1}{4}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ ,  
Sec. 18, W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
N $\frac{1}{2}$ SE $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ,  
Sec. 19, E $\frac{1}{2}$ NE $\frac{1}{4}$ ,  
Sec. 20, NW $\frac{1}{4}$  and S $\frac{1}{2}$ ,  
Sec. 21, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
Sec. 28, W $\frac{1}{2}$ ,  
Sec. 33, W $\frac{1}{2}$ .  
T. 35 N., R. 7 W.,  
Sec. 7, E $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ,  
Sec. 8, N $\frac{1}{2}$  and SW $\frac{1}{4}$ ,  
Sec. 9, NW $\frac{1}{4}$ ,  
Sec. 18, W $\frac{1}{2}$ E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ,  
Sec. 19, W $\frac{1}{2}$ E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ,  
Sec. 30, W $\frac{1}{2}$ E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ,  
Sec. 31, W $\frac{1}{2}$ E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ .

The areas described, including both public and nonpublic lands, aggregate 4559.24 acres.

This order shall not otherwise become effective to change the status of the public lands until 10:00 a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Circ. 324, May 22, 1914, 43 L.D. 254) and 43 CFR part 296, to the extent that these regulations are applicable.

OSCAR L. CHAPMAN,  
Assistant Secretary of the Interior.

MAY 29, 1944.

[F. R. Doc. 44-8230; Filed, June 7, 1944;  
10:33 a. m.]

### FEDERAL POWER COMMISSION.

[Docket No. G-532]

#### INTERSTATE PIPE LINE CO.

#### ORDER FIXING DATE OF HEARING

JUNE 1, 1944.

Upon consideration of the application filed March 23, 1944, by Interstate Pipe Line Company for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, for authority to operate approximately 8½ miles of 2-inch to 6-inch pipe line extending from a point in Miami County, Kansas, in an easterly direction to the town of Drexel, Missouri, acquired by Applicant on August 21, 1943, from its affiliate, Interstate Gas Company; the Commission orders that:

(A) A public hearing be held, commencing on June 27, 1944, at 10:00 a. m., in Grand Jury Room No. 519, U. S. Court House, Kansas City, Missouri, respecting the matters involved and the issues presented in this proceeding;

(B) Interested State Commission may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 44-8232; Filed, June 7, 1944;  
10:37 a. m.]

[Docket No. G-545]

#### MISSOURI WESTERN GAS CO.

#### ORDER FIXING DATE OF HEARING

JUNE 1, 1944.

Upon consideration of the application filed May 2, 1944, by Missouri Western Gas Company for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, to construct and operate approximately 21 miles of 3½-inch and 4-inch pipe line extending from Panhandle Eastern Pipe Line Company's measuring station, located 1½ miles north of Harrisonville, Missouri, along U. S. Highway No. 71 to Applicant's 4-inch gas transmission pipe line at Adrian, Missouri, together with a regulator station; the Commission orders that:

(A) A public hearing be held, commencing on June 28, 1944, at 9:30 a. m., in Grand Jury Room No. 519, U. S. Court House, Kansas City, Missouri, respecting the matters involved and the issues presented in this proceeding;

(B) Interested State Commissions may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 44-8233; Filed, June 7, 1944;  
10:37 a. m.]

[Docket No. G-534]

#### KANSAS POWER AND LIGHT CO.

#### ORDER FIXING DATE OF HEARING

JUNE 1, 1944.

Upon consideration of the application filed March 27, 1944, by The Kansas Power and Light Company for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, as amended, for authority to construct and operate approximately 38,000 feet of 8-inch pipe line extending in a southwesterly direction from the Cities Service Gas Company's Breitenbach No. 1 and English No. 1 gas wells in Edwards County, Kansas, and connecting with Applicant's existing 8-inch pipe line at a point in the southeast corner of sec-

tion 3, Township 26 South, Range 17 West in Edwards County, Kansas; the Commission orders that:

(A) A public hearing be held, commencing on June 27, 1944, at 2:00 p. m., in Grand Jury Room No. 519, U. S. Court House, Kansas City, Missouri, respecting the matters involved and the issues presented in this proceeding;

(B) Interested State Commissions may participate in the hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 44-8234; Filed, June 7, 1944;  
10:37 a. m.]

[Docket Nos. G-524 and G-528]

#### CONSOLIDATED GAS UTILITIES CORP.

#### ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

JUNE 1, 1944.

Upon consideration of the following applications filed by Consolidated Gas Utilities Corporation (Applicant) for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended:

(a) Application filed February 7, 1944, in Docket No. G-524 for authority (1) to construct and operate 5,280 feet of 4½-inch O. D. steel pipe line beginning at a connection with Applicant's 6½-inch pipe line in Rice County, Kansas, and extending in a southerly direction 5,280 feet to a point of connection with Applicant's existing distribution system in Sterling, Kansas; (2) abandon approximately 1½ miles of 5½-inch boiler flue pipe line commencing at a connection with Applicant's 8-inch transmission pipe line in Rice County, Kansas, and extending in a southwesterly direction to a connection with Applicant's 4-inch pipe line at the West line of the South half of section 14, Township 21 South, Range 8 West, Rice County, Kansas;

(b) Application filed February 17, 1944, in Docket No. G-528 for authority to construct and operate approximately 3½ miles of 8½-inch pipe line beginning at a connection with Applicant's 6-inch pipe line at the Southeast corner of section 32, Township 6 North, Range 9 West, Caddo County, Oklahoma, and extending in a westerly direction approximately 2¾ miles and thence northwesterly approximately 3,960 feet to a point of connection with the 8-inch pipe line of Ray Stephens, Inc., Caddo County, Oklahoma; and it appearing to the Commission that:

Good cause exists for consolidating the above-entitled proceedings; the Commission orders that:

(A) The above-entitled proceedings be and the same are hereby consolidated for the purpose of hearing;

(B) A public hearing be held commencing on June 26, 1944, at 10 a. m., in the Ninth-Floor District Courtroom in the U. S. Post Office and Courthouse, Oklahoma City, Oklahoma, respecting

the matters involved and the issues presented in such consolidated proceedings;

(C) Interested State commissions may participate in such hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 44-8231; Filed, June 7, 1944;  
10:37 a. m.]

#### FEDERAL TRADE COMMISSION.

[Docket No. 5153]

DORENE PUBLISHING CO., INC.

#### ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 6th day of June, A. D. 1944.

In the matter of Dorene Publishing Company Inc., a corporation, and Joseph Kay, individually and as president of Dorene Publishing Company, Inc.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That John W Addison, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law.

It is further ordered, That the taking of testimony in this proceeding begin on Thursday, June 22, 1944, at ten o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the facts; conclusions of facts; conclusions of law and recommendation for appropriate action by the Commission.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-8237; Filed, June 7, 1944;  
11:23 a. m.]

[Docket No. 5172]

JOHN B. STETSON CO.

*Complaint.* The Federal Trade Commission having reason to believe that the party respondent named in the caption hereof, and hereinafter more particularly designated and described, has, since June 19, 1936, violated and is now violating the provisions of subsections (a) and (d) of section 2 of the Clayton Act (U.S.C. title 15, sec. 13) as amended by the Robinson-Patman Act approved

June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

*Count 1.* Charging violation of subsection (a) of section 2 of the Clayton Act, as amended, the Commission alleges:

(1) Respondent John B. Stetson Company is a corporation organized and existing under and by virtue of the laws of the State of Pennsylvania, with its principal office and place of business located at Fifth Street and Montgomery Avenue, Philadelphia, Pennsylvania.

(2) Respondent corporation is now and has been since June 19, 1936, engaged in the business of manufacturing, offering for sale, selling and distributing men's hats under various brand names, all of which feature the name "Stetson" in addition to arbitrary brand names selected denoting style and price range, such as "Play Boy" "Sportlite" "Fast Colors" "Medalist" "Stratoliner" "Premier" "Royal" "Imperial" "Sovereign" etc. The resale or retail prices of these brands range from \$5 to \$150. Respondent enters into contracts with its various customers to whom it sells its hats, and said contracts fix the price and terms of sale at which such hats are sold by such customers at retail to the consuming public. Respondent, by volume of sales, is the largest producer and distributor of men's hats in the United States. Respondent sells and distributes its hats in commerce between and among the various states of the United States and in the District of Columbia and, as a result of such sales, causes said hats to be shipped and transported from its place of business to purchasers thereof who are located in the various states of the United States other than the state in which respondent's place of business is located. There is and has been at all times mentioned herein a continuous course of trade and commerce in said hats across state lines between respondent's factory and the purchasers of said hats. Said hats are sold and distributed for use and resale within the various states of the United States and in the District of Columbia. Respondent sells its men's hats directly to several thousand retail resellers located in cities and towns throughout the United States.

(3) In the course and conduct of its business as aforesaid, respondent is now and during the times herein mentioned has been in substantial competition with other corporations and with individuals, partnerships and firms who are likewise engaged in the business of manufacturing, selling and distributing men's hats in interstate commerce.

Many of respondent's customers are competitively engaged with each other and with the customers of respondent's competitors in the resale of men's hats within the trade areas in which respondent's said customers respectively offer for sale and sell the men's hats purchased from the respondent.

(4) In the course and conduct of its said business, since June 19, 1936, respondent has been and is now discriminating in price between different pur-

chasers buying hats from the respondent, by selling such hats to some of its customers at higher prices than it sells its hats of like grade and quality to other customers who are competitively engaged with customers receiving the lower prices, in the resale of said hats within the United States.

Respondent grants and allows to all of its customers a regular trade discount of 2% to be deducted from the invoice price if the invoice is paid within a specified time. The price discriminations herein alleged, and those hereinafter set forth, are in the form of discriminatory additions to the regular trade discount of 2%.

(5) The respondent has discriminated in price by the use of a so-called "cumulative quantity" discount schedule whereby it has sold to some customers at higher prices than it has sold men's hats of like grade and quality to other customers who are in competition with them in the resale of said hats within the United States. The so-called "quantity discount" schedule varied for the years 1940, 1941, and 1942, and was and is governed by the customer's cumulative total of purchases during each year. For the year ending October 31, 1941, the so-called "cumulative quantity" discount schedule effected by the respondent was as follows:

Annual purchases ranging from:	Percent
\$25,000 to \$49,999.99	2
\$50,000 to \$99,999.99	4½
\$100,000 and over	7

From November 1, 1941, to October 31, 1942, the respondent's "cumulative quantity" discount schedule was as follows:

Annual purchases ranging from:	Percent
\$25,000 to \$49,999.99	2
\$50,000 to \$74,999.99	4½
\$75,000 to \$99,999.99	6
\$100,000 to \$249,999.99	7
\$250,000 and over—6% overage on the volume exceeding \$250,000.	

From November 1, 1942 to October 31, 1943, and thereafter, the respondent's "cumulative quantity" discount schedule has been and is as follows:

Annual shipments:	Quantity discounts (percent)
\$5,000 to \$7,499.99	2
\$7,500 to \$9,999.99	2½
\$10,000 to \$14,999.99	3
\$15,000 to \$24,999.99	3½
\$25,000 to \$34,999.99	4
\$35,000 to \$49,999.99	4½
\$50,000 to \$74,999.99	5
\$75,000 to \$99,999.99	6
\$100,000 to \$199,999.99	7
\$200,000 and over	8

(6) In addition to the discriminations effected by the aforementioned "cumulative quantity" discount schedules, respondent discriminates in price between different purchasers of its products who are in competition with each other by making lower prices on hats to some customers based upon the total quantity or volume sold and delivered to all of the separate branches or outlets of such customers, although separate delivery is made to the several branches or outlets of such customers, if and when such total quantity or volume amounts to certain required minima during the fiscal year period without regard to the quantity or

volume delivered to the respective branches or outlets of such customers.

(7) The effect of the discriminations in price generally alleged in paragraph four hereof and of the discriminations specifically set forth in paragraphs five and six hereof has been or may be substantially to lessen competition in the line of commerce in which the purchasers receiving and those denied the benefits of such discriminatory prices are engaged and to injure, destroy or prevent competition between purchasers receiving the benefit of said discriminatory prices and those from whom they are withheld.

Such discriminations in price by respondent between different purchasers of men's hats of like grade and quality in interstate commerce in the manner and form aforesaid are in violation of the provisions of subsection 2 (a) of section 1 of said Act of Congress approved June 19, 1936 entitled "An Act to amend section 2 of an act entitled 'An Act to Supplement Existing Laws Against Unlawful restraints and Monopolies and for Other Purposes' Approved October 15, 1914, as Amended U. S. C. Title 15, section 13 and for Other Purposes"

Count II. Charging violation of subsection (d) of section 2 of the Clayton Act as amended, the Commission alleges:

(1) Paragraphs (1) to (3), inclusive, of Count I of this complaint are hereby repeated and made a part of this charge as fully and with the same effect as though herein again set forth at length.

(2) In the course and conduct of its business as aforesaid, respondent, since June 19, 1936, has been and is now granting compensation in the form of cash payments and allowances to some of its customers who are selected by the respondent for advertising display and other promotional activities. Such payments or allowances have been and are granted to favored customers in consideration of the advertising display and other promotional services furnished by them in connection with the resale of the respondent's hats. The respondent makes such cash payments or allowances to its favored customers without making them available on proportionally equal terms to other of its customers who compete with such favored customers in the resale and distribution of respondent's said hats. Such other customers are able and willing to furnish the same kind of advertising or display services and promotional facilities to the respondent as those furnished by its favored customers.

Instances and illustrations of the general practice above alleged and thus pursued by the respondent in granting allowances and compensation to its favored customers are the following:

1. The respondent paid to its favored customer, Young's Merchandising Corporation, operating 26 retail men's hat stores in New York City, for the fiscal year 1941 the sum of \$11,904.78, and for the fiscal year 1942 the sum of \$14,889.91 as an advertising and display allowance, while the respondent did not make such payments available on proportionally equal terms, or on any terms, to competing customers.

2. The respondent paid to its favored customer, Wallach's, Inc., of New York City, a corporate subsidiary of Hart, Schaffner, & Marx, Chicago, Illinois, operating 9 men's furnishings stores in the Metropolitan area of New York City, the sum of \$6,600 per year for window displays of "Stetson" hats, in the Fifth Avenue windows of Wallach's, Inc. stores located at 45th St. and Fifth Avenue, and 33rd St. and Fifth Avenue, New York, for 32 weeks each year, and similar window displays during 22 weeks of each year on the 45th St. side of Wallach's, Inc. store located at 45th St. and Fifth Avenue, while respondent did not and does not make such payments available on proportionally equal terms, or on any terms, to competing customers.

3. The respondent paid to its favored customer, Maurice L. Rothschild, of Chicago, Illinois, having branches at St. Paul, Minnesota and Minneapolis, Minnesota, the sum of \$1,000 per month for advertising and window display, while the respondent did not and does not make such payment available on proportionally equal terms, or on any terms, to competing customers.

(3) The respondent has not made known to its customers generally but only to its favored customers, that it grants and allows any compensation for advertising, display and other promotional services.

(4) The above acts and practices of respondent are in violation of subsection (d) of section 2 of the Clayton Act as amended by the Robinson-Patman Act approved June 19, 1936, U.S.C. Title 15, sec. 13.

Wherefore, the premises considered, the Federal Trade Commission, on this 3d day of June, 1944, issues its complaint against said respondent.

Notice. Notice is hereby given you, John B. Stetson Company, respondent herein, that the 7th day of July, A. D. 1944, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specify



cally admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 3d day of June, A. D. 1944.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 44-8238; Filed, June 7, 1944;  
11:23 a. m.]

# INTERSTATE COMMERCE COMMISSION.

[S. O. 70-A, Special Permit 276]

## RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Illinois, May 31, 1944, by Chicago Tomato Company of car ART 20126, tomatoes, now on the Wabash Railroad, to Kroger Grocery Company, Roanoke, Virginia.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it

with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of May 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8141; Filed, June 6, 1944;  
11:49 a. m.]

[S. O. 70-A, Special Permit 277]

## RECONSIGNMENT OF TOMATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri-Kansas, June 1 or 2, 1944, by T. V. Woolam Gin and Produce Company of car ART 15314, tomatoes, now on the Missouri Pacific Railroad to unknown destination.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8142; Filed, June 6, 1944;  
11:49 a. m.]

[S. O. 70-A, Special Permit 278]

## RECONSIGNMENT OF TOMATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Chicago, Ill., of the following cars of tomatoes:

Car Number, Shipper, Consigned, Destination, and Now On

ART-16371, Barnett, R. L. Shafter Co., Stevens Point, Wis., Wabash R. R.  
NP-90814, C. B. Williams, Kroger, Indianapolis, Ind., Wabash R. R.  
ART-16242, Inland Trading Co., A. Cohen Co., Rochester, N. Y., O. P. T.

Permit given to Riley McFarland Co., Chicago, Ill., by telephone 4:50 p. m., June 1.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8143; Filed, June 6, 1944;  
11:49 a. m.]

[S. O. 70-A, Special Permit 279]

## RECONSIGNMENT OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Kansas City, Missouri, June 2, 1944, by Michael Swanson Brady of cars FGE 34178 and GARX 67051, potatoes, now on the Missouri Pacific to unknown destination.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8144; Filed, June 6, 1944;  
11:49 a. m.]

[S. O. 70-A, Special Permit 280]

## RECONSIGNMENT OF WATERMELONS AT RALEIGH, N. C.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph (§ 95.35, 8 F.R. 14624) of Service Order No. 70-A of October 22, 1943, permission is granted for any common

carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 70-A insofar as it applies to the reconsignment at Raleigh, North Carolina, June 1 or 2, 1944, by Acco of car SAL 89055, watermelons, now on the Seaboard Air Line Railway to New York, New York.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8145; Filed, June 6, 1944;  
11:49 a. m.]

[S. O. 178, General Permit 10]

#### LOADING OF PROCESSED CHEESE

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.328, 9 F.R. 542) of Service Order No. 178 of January 11, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Service Order No. 178 insofar as it applies to the loading or movement of refrigerator cars loaded with straight carloads of processed cheese in glass containers, or mixed carloads of processed cheese in glass containers and other commodities requiring refrigeration provided that the car contains an amount of the other commodities requiring refrigeration which is not less than the published tariff minimum weight applicable on such other commodities.

This permit shall become effective at 12:01 a. m., June 2, 1944, and shall expire at 12:01 a. m., September 1, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8146; Filed, June 6, 1944;  
11:49 a. m.]

[S. O. 200, Amended General Permit 3]

#### REICING OF POTATOES FROM FLORIDA

Pursuant to the authority vested in me by paragraph (e) of the first ordering

paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To provide one reicing in transit, after the first or initial icing, on any refrigerator car loaded with potatoes originating at any point in the State of Florida.

This general permit shall become effective at 12:01 a. m., June 3, 1944, and shall expire at 12:01 a. m., June 10, 1944. The reicing authorized herein may be accorded cars rolling on the effective date hereof.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of June 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8147; Filed, June 6, 1944;  
11:49 a. m.]

[S. O. 200, 2d Amended General Permit 5]

#### ICING AND REICING OF POTATOES FROM SOUTH CAROLINA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point in the state of South Carolina; at the carriers option, to accord the first or initial icing at a regular icing station en route after the car is loaded and billed; and to reice in transit one time only, at any regular icing station en route beyond the station where car was initially iced.

This general permit shall become effective at 12:01 a. m., June 3, 1944, and the icing and reicing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall expire with June 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of June 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8148; Filed, June 6, 1944;  
11:49 a. m.]

[S. O. 200, Amended General Permit 6]

#### ICING AND REICING OF POTATOES FROM GEORGIA

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

On any refrigerator car loaded with potatoes originating at any point in the state of Georgia: at the carrier's option, to accord the first or initial icing at a regular icing station en route after the car is loaded and billed; and to reice in transit one time only, at any regular icing station en route beyond the station where car was initially iced.

This general permit shall become effective at 12:01 a. m., June 3, 1944, and the icing and reicing authorized herein may be accorded on such refrigerator cars moving at that time. This general permit shall expire with June 30, 1944.

The waybills shall show reference to this general permit.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 2d day of June 1944.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 44-8149; Filed, June 6, 1944;  
11:49 a. m.]

[S. O. 200, Special Permit 32]

#### REICING OF POTATOES AT KANSAS CITY, MO.-KANS.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity at Kansas City, Missouri-Kansas, May 30 or 31, 1944, as ordered by Michael Swanson Brady Produce Company, cars ART 20623, ART 73826 and SFRD 34393, potatoes, now on the Missouri Pacific Railroad, because necessary to recondition; ice now low; and cars will be reconsigned to unknown destinations after reconditioning.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 30th day of May 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8150; Filed, June 6, 1944; 11:50 a. m.]

[S. O. 200, Special Permit 33]

STANDARD REFRIGERATION OF POTATOES FROM NORFOLK, VA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accord standard refrigeration on car NP 94660, potatoes, shipped prior to June 3, 1944, by Guy W. Capps from Norfolk, Virginia, to Naval Operating Base, Key West, Florida, for overseas transportation. (SAL-FEC).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of May 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8151; Filed, June 6, 1944; 11:50 a. m.]

[S. O. 200, Special Permit 34]

REICING OF POTATOES FROM LERDO, CALIF.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice at all regular icing stations en route car PFE 15399, potatoes, shipped May 22, 1944, from Lerdo, California, destined Indianapolis, Indiana (routed Santa Fe-P. R. R.) because made bad order at Barstow and through error returned to Bakersfield and not discovered until May 28, 1944, when inspection showed sacks spotty.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with

the Director, Division of the Federal Register.

Issued at Washington, D. C., this 31st day of May 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8152; Filed, June 6, 1944; 11:50 a. m.]

[S. O. 200, Special Permit 35]

REICING OF POTATOES AT MONTGOMERY, ALA.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

In lieu of the one reicing permitted by Third Amended General Permit No. 1 under this order, to reice one time only to full bunker capacity at Montgomery, Alabama, car WFE 67269, potatoes, initially iced at Montgomery May 28, 1944, shipped from Atmore, Alabama, May 31, 1944, as weather interference prevented earlier loading and no ice available locally.

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8153; Filed, June 6, 1944; 11:50 a. m.]

[S. O. 200, Special Permit 36]

REICING OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity, June 1, 1944, as ordered by Edw. H. Anderson & Company, the following cars of potatoes: FGE 51123, FGE 52726, WFE 63860 and ART 16400, at Chicago on Chicago Produce Terminal; also FGE 35491, reconsigned via Illinois Central Railroad from Kankakee, Illinois, to Birmingham, Alabama, to be reiced at first station en route where car can be located; also PFE 17623, WFE 61331, ART 21633 and MDT 22569, all now on Chicago Produce Terminal.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice

of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8154; Filed, June 6, 1944; 11:50 a. m.]

[S. O. 200, Special Permit 37]

REICING OF POTATOES AT KANSAS CITY, MO.

Pursuant to the authority vested in me by paragraph (e) of the first ordering paragraph (§ 95.337, 9 F.R. 4402) of Service Order No. 200 of April 22, 1944, permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To reice one time only, to full bunker capacity, at Kansas City, Missouri, as ordered by Michael Swanson Brady Produce Company, FGE 34178, 18733 and GARX 67051, potatoes, now on the Missouri Pacific Railroad, account reconditioning.

The waybills shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 1st day of June 1944.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 44-8155; Filed, June 6, 1944; 11:50 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Amdt. 3 to Order 226]

NEWLY MINED DOMESTIC SILVER  
ESTABLISHMENT OF MAXIMUM PRICES

Amendment No. 3 to Order No. 226 issued under § 1499.159b of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel. Maximum prices for sales of certain consumers' articles containing newly mined domestic silver.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,\* and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order Nos. 9250 and 9328, It is ordered, That Order No.

\*Copies may be obtained from the Office of Price Administration.

226 under Maximum Price Regulation No. 188 be amended in the following respects:

1. The text preceding subparagraph (1) of paragraph (f) is amended to read as set forth below:

(f) Every person delivering to a purchaser for resale, an article for which the seller's maximum price has been established under paragraph (b) or (c) shall, at or prior to the first invoice to such purchaser after March 23, 1943, file with his customer for each item a statement either on the invoice or separately, containing the following information:

2. The last sentence of the notice provided for in paragraph (g) is deleted.

This amendment shall become effective on the 7th day of June 1944.

Issued this 6th day of June 1944.

CHESTER BOWLES,  
Administrator

[F. R. Doc. 44-8206; Filed, June 6, 1944;  
4:42 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 54-75, 70-726]

COMMONWEALTH & SOUTHERN CORP. (DELAWARE)

### ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3d day of June, A. D. 1944.

The Commonwealth & Southern Corporation (Commonwealth) a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-46 thereunder regarding the proposed payment of a dividend of \$1.25 per share (payable on the 28th day after approval by this Commission to stockholders of record at the close of business on the 14th day thereafter) on its 1,482,000 shares of preferred stock outstanding, the aggregate amount of such dividend payment being \$1,852,500; and

Said declaration having been filed on May 16, 1944 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in the said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission regarding the proposed payment as similar in principle to those proposed by Commonwealth and permitted by the Commission's orders of June 24, September 13, November 26, 1943 and March 8, 1944 (Holding Company Act Release Nos. 4383, 4560, 4709 and 4933) and, as in the case of said prior dividend payments, as being made out of capital; and

The Commission deeming it appropriate in the public interest and in the interest of investors and consumers to per-

mit said declaration to become effective; and

Commonwealth having requested that the effective date of the declaration be accelerated to facilitate the prompt payment of the proposed dividends to the preferred stockholders and the Commission deeming it appropriate that such request for acceleration be granted,

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith, subject to the condition that Commonwealth accompany the dividend checks with a statement indicating that the dividend is being paid out of capital. By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-8197; Filed, June 6, 1944;  
2:48 p. m.]

[File No. 7-737]

DETROIT AND CLEVELAND NAVIGATION CO.

### ORDER CHANGING DATE OF HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 3rd day of June, A. D. 1944.

In the matter of application by the Cleveland Stock Exchange to extend unlisted trading privileges to Detroit and Cleveland Navigation Company Common Stock, \$5 Par Value, File No. 7-737.

The Cleveland Stock Exchange, pursuant to section 12 (f) of the Securities Exchange Act of 1934, and Rule X-12F-1 promulgated thereunder, having made application to the Commission to extend unlisted trading privileges to the above-mentioned security:

The Commission having ordered that a hearing be held in this matter on June 8, 1944 at the Cleveland office of the Commission;

It being found necessary to change the date of the hearing;

It is ordered, That said hearing be held at 10:00 a. m. on Friday, June 9, 1944, at the office of the Securities and Exchange Commission, 1370 Ontario Street, Cleveland, Ohio, and continue thereafter at such times and places as the Commission or its officer conducting such hearing may determine.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-8198; Filed, June 6, 1944;  
2:48 p. m.]

[File No. 70-901]

CONSOLIDATED ELECTRIC AND GAS CO. AND  
PORTO RICO GAS & COKE CO.

### NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of June, A. D. 1944.

Notice is hereby given that a declaration or application (or both) has been

filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Consolidated Electric and Gas Company, a registered holding company, and its subsidiary, Porto Rico Gas & Coke Company.

All interested persons are referred to said declaration or application (or both) which is on file in the office of the Commission, for a statement of the transactions therein proposed, which may be summarized as follows:

Porto Rico Gas & Coke Company proposes to redeem from time to time during the remainder of 1944 not to exceed 1,500 shares of its 6% cumulative preferred stock of the par value of \$100 per share by payment to Consolidated Electric and Gas Company therefor of the redemption price of \$105 per share and the accrued and unpaid dividends presently aggregating \$9.00 per share.

Consolidated Electric and Gas Company is the sole owner of such preferred stock, which is presently outstanding in the amount of 4,945 shares, and owns all of the company's outstanding common stock, which consists of 10,000 shares (\$25 par value) Porto Rico Gas & Coke Company also has outstanding in the hands of the public \$376,300 principal amount of First Mortgage Thirty-Year 6% Sinking Fund Gold Bonds, due July 1, 1952.

Consolidated will deposit the cash received as the result of the aforesaid transaction with the Trustee under the Indenture securing the Southern Cities Utilities Company Thirty-Year 5% First Lien Collateral Trust Bonds, Series A, due April 1, 1958 (assumed by Consolidated Electric and Gas Company) and in accordance with the terms of said indenture, Consolidated proposes to effect the retirement of said bonds by purchases thereof in the open market.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said matter and that said application or declaration shall not be granted or permitted to become effective except pursuant to further order of this Commission;

It is ordered, That a hearing on said matter under the applicable provisions of said act and rules of the Commission thereunder be held on June 19, 1944, at 10:00 a. m., e. v. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held;

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing copies of this order by registered mail to Consolidated Electric and Gas Company and Porto Rico Gas & Coke Company; and that notice of said hearing be given to all persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein shall file with the Secretary of the Commission on or before June 16, 1944 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

*It is further ordered*, That Charles S. Lobinger or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's Rules of Practice.

*It is further ordered*, That, without limiting the scope of the issues presented by said application and declaration, particular attention will be directed at the hearing to the following matters and questions:

(1) Whether the proposed use of the proceeds from the redemption of said preferred stock in the acquisition of Southern-Cities Bonds by purchase in the open market is in conformity with the applicable provisions of the act;

(2) Generally, whether in any respect the proposed transactions are detrimental to the public interest or to the interests of investors, particularly the public bondholders of Porto Rico Gas & Coke Company, or will tend to circumvent any provisions of the Act or the rules and regulations promulgated thereunder;

(3) Whether, if the proposed transactions are authorized, the imposition of terms and conditions is necessary and appropriate in the public interest or for the protection of investors and consumers, and, if so, what terms and conditions should be imposed.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-8199; Filed, June 6, 1944;  
2:48 p. m.]

[File Nos. 70-725, 59-11, 59-17, 54-25]

NORTHERN INDIANA PUBLIC SERVICE CO.,  
ET AL.

ORDER MODIFYING CONDITION AND GRANTING  
EXTENSION OF TIME

In the matter of Northern Indiana Public Service Company, La Porte Heat Corporation, File No. 70-725; The United Light and Power Company, et al., La Porte Gas and Electric Company, File Nos. 59-11, 59-17, 54-25, Application No. 16.

The United Light and Power Company, a registered holding company, and La Porte Gas and Electric Company (La Porte) a subsidiary thereof, having filed applications and declarations and amendments thereto pursuant to sections 11, 12 (c) 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935, and Rules U-42, U-43, U-44 and U-46 promulgated thereunder, with respect to the sale by La Porte of its electric, gas and heat properties to Northern Indiana Public Service Company (Northern) a subsidiary of Clarence A. Southerland and Jay Samuel Hartt, Trustees of the Estate of Midland Utilities Company, and La Porte Heat Corporation (Heat Corporation) a subsidiary of Northern, and with respect to the dissolution and liquidation of La Porte; and

Northern and Heat Corporation having filed applications and declarations and amendments thereto, pursuant to

sections 6 (b) 9 (a) 10, and 12 of the act and Rule U-44 promulgated thereunder, with respect to the issue and sale by Northern of \$1,400,000 principal amount of serial notes of a maturity of seven years or less, and by Heat Corporation of 3,750 shares of its common stock of the par value of \$100 per share, and with respect to the acquisition by Northern of such common stock and the acquisition by Heat Corporation of the heat properties of La Porte; and

The Commission having by order dated December 7, 1943, granted the applications and permitted the declarations to become effective subject to the terms and conditions, among others, prescribed in Rule U-24; and having by subsequent orders extended the time within which the transactions might be consummated to June 5, 1944; and

A request having been made that the time, within which the transactions as set forth in the applications and declarations may be consummated, be further extended to August 5, 1944; and

The Commission having considered such request and deeming it appropriate that it be granted;

*It is ordered*, That the conditions contained in the order of December 7, 1943, be and hereby are modified to the extent necessary to extend the time within which such transactions may be consummated to August 5, 1944.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 44-8200; Filed, June 6, 1944;  
2:49 p. m.]

#### WAR PRODUCTION BOARD.

GRAY AND COMPANY

○ CONSENT ORDER

Gray & Co., 1305 N. W. Davis St., Portland, Oregon, engaged in the business of distributing new and used bakery machinery and equipment and the wholesale selling of bakery and confectionery supplies, is charged by the War Production Board with having made eleven sales of restricted machinery and equipment in violation of Limitation Order L-83 and General Limitation Order L-292 between April 12 and October 2, 1943. Gray & Co. admits the violations as charged, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Gray & Co., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Gray & Co., its successors and assigns shall not make, assemble, accept delivery of or deliver any food processing machinery as food processing machinery is defined in General Limitation Order L-292, in an amount of total gross selling price exceeding one thousand dollars, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Gray & Co., its successors or assigns, from any restric-

tion, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on June 6th, 1944, and shall expire on October 6th, 1944.

Issued this 27th day of May 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-8205; Filed, June 6, 1944;  
4:28 p. m.]

#### SPIEGEL BROTHERS CORP.

CONSENT ORDER

The Spiegel Brothers Corporation, a corporation organized and existing under the laws of the State of New York with its principal office and place of business at 806-808 Broadway, Borough of Manhattan, City, County and State of New York, is engaged in the business of buying and selling hardware, tools, flashlights, and general merchandise. This corporation is charged by the War Production Board with having accepted delivery, during the period January 8, 1943, to August 2, 1943, of 2,538 high speed metal cutting tools on unrated orders, and with having sold and delivered, during the period January 8, 1943, to October 6, 1943, 2,538 high speed metal cutting tools on unrated orders, thereby violating General Preference Order E-2-b. The corporation admits the violations, as charged, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of The Spiegel Brothers Corporation, the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) The Spiegel Brothers Corporation, its successors and assigns, shall not order, buy, accept delivery of, or accept orders for, sell or deliver flashlights, as defined in General Limitation Order L-71, unless hereafter specifically authorized in writing by the War Production Board.

(b) This order shall not apply to flashlights which the company has on hand for delivery or which are in transit to its customers, on purchase orders received and accepted prior to the effective date of this order and bearing preference ratings within the requirements of Limitation Order L-71.

(c) Nothing contained in this order shall be deemed to relieve The Spiegel Brothers Corporation, its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on June 6, 1944, and shall expire on August 6, 1944.

Issued this 31st day of May 1944.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 44-8204; Filed, June 6, 1944;  
4:28 p. m.]